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ILLINOIS REGISTER

Rules of Governmental Agencies

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1989

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1988	Dec. 27, 1988	1	Jan. 6, 1989	June 27, 1989	July 3, 1989 (Mon.)	28	July 14, 1989
Dec. 27, 1988	Jan. 3, 1989	2	Jan. 13, 1989	July 3, 1989 (Mon.)	July 11, 1989	29	July 21, 1989
Jan. 3, 1989	Jan. 10, 1989	3	Jan. 20, 1989	July 11, 1989	July 18, 1989	30	July 28, 1989
Jan. 10, 1989	Jan. 17, 1989	4	Jan. 27, 1989	July 18, 1989	July 25, 1989	31	Aug. 4, 1989
Jan. 17, 1989	Jan. 24, 1989	5	Feb. 3, 1989	July 25, 1989	Aug. 1, 1989	32	Aug. 11, 1989
Jan. 24, 1989	Jan. 31, 1989	6	Feb. 10, 1989	Aug. 1, 1989	Aug. 8, 1989	33	Aug. 18, 1989
Jan. 31, 1989	Feb. 7, 1989	7	Feb. 17, 1989	Aug. 8, 1989	Aug. 15, 1989	34	Aug. 25, 1989
Feb. 7, 1989	Feb. 14, 1989	8	Feb. 24, 1989	Aug. 15, 1989	Aug. 22, 1989	35	Sept. 1, 1989
Feb. 14, 1989	Feb. 21, 1989	9	Mar. 3, 1989	Aug. 22, 1989	Aug. 29, 1989	36	Sept. 8, 1989
Feb. 21, 1989	Feb. 28, 1989	10	Mar. 10, 1989	Aug. 29, 1989	Sept. 5, 1989	37	Sept. 15, 1989
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Mar. 7, 1989	Mar. 14, 1989	12	Mar. 24, 1989	Sept. 12, 1989	Sept. 19, 1989	39	Sept. 29, 1989
Mar. 14, 1989	Mar. 21, 1989	13	Mar. 31, 1989	Sept. 19, 1989	Sept. 26, 1989	40	Oct. 6, 1989
Mar. 21, 1989	Mar. 28, 1989	14	Apr. 7, 1989	Sept. 26, 1989	Oct. 3, 1989	41	Oct. 13, 1989
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Apr. 25, 1989	May 2, 1989	19	May 12, 1989	Oct. 31, 1989	Nov. 7, 1989	46	Nov. 17, 1989
May 2, 1989	May 9, 1989	20	May 19, 1989	Nov. 7, 1989	Nov. 14, 1989	47	Nov. 27, 1989 (Mon.)
May 9, 1989	May 16, 1989	21	May 26, 1989	Nov. 14, 1989	Nov. 21, 1989	48	Dec. 1, 1989
May 16, 1989	May 23, 1989	22	June 2, 1989	Nov. 21, 1989	Nov. 28, 1989	49	Dec. 8, 1989
May 23, 1989	May 30, 1989	23	June 9, 1989	Nov. 28, 1989	Dec. 5, 1989	50	Dec. 15, 1989
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June 20, 1989	June 27, 1989	27	July 7, 1989	Dec. 26, 1989	Jan. 2, 1990	2	Jan. 12, 1990

Please note: When the *Register* deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Illinois Seed Law
- 2) Code Citation: 8 Ill. Adm. Code 230
- 3) Section Number: Proposed Action:
- 230.20 Amended
- 4) Statutory Authority: Illinois Seed Law (Ill. Rev. Stat. 1987, ch. 5, pars. 403, 405, 408, 408.1)

5) A Complete Description of the Subjects and Issues Involved:

Serrated Tussock is a weed seed not native to the United States and is listed as a noxious weed under the Federal Noxious Weed Act. However, shipments of seed from Argentina have recently been found to contain the weed seed Serrated Tussock in neighbor states. These states and other states have issued quarantines to prevent the introduction or spread of this weed seed, which is detrimental to livestock production and consumers will find it economically costly to control. Serrated Tussock has recently been identified in interstate shipments of seed.

The amendment adds Serrated Tussock or Nassella Trichotoma (scientific name) to the list of prohibited (primary) noxious weed seeds. This action is intended to prevent the introduction of this noxious weed seed into Illinois and allow the Department to take actions as authorized in the Act to prevent the spread of the weed seed when it is discovered in the State.

6) Will this proposed rule replace an emergency rule currently in effect? Yes. Emergency rulemaking appears in this issue of the Illinois Register on page _____.

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

A public hearing on the proposed amendments will be held on April 27, 1989, at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than 45 days from the date of publication of the proposed rulemaking in the Illinois Register. All comments received will be fully considered by the agency.

This proposed rulemaking may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, small businesses may present their comments to the Director as outlined above.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 9, 1989
- B) Types of small businesses affected: Seed dealers and consumers.
- C) Reporting, bookkeeping or other procedures required for compliance: None. The amendment adds a new noxious weed seed to the list of primary noxious weed seeds.
- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Rules is the same as the text of Emergency Rules appearing on page 4017 of this issue of the Illinois Register.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Economic Dislocation and Worker Adjustment Assistance
- 2) Code Citation: 56 Ill. Adm. Code 2625
- 3) Section Numbers:
 Proposed Action:
 2625.20 New Section
 2625.30 New Section
 2625.40 New Section
 2625.50 New Section
- 4) Statutory Authority: Implementing the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act (Title VI, Subtitle D, of the Omnibus Trade and Competitiveness Act of 1988, P.L. 100-418, effective August 23, 1988) and Sections 4(c),(d),(e), and (g) of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, par. 2104, as amended by P.A. 85-1424, effective December 20, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to establish the "Economic Dislocation and Worker Adjustment Assistance" rules governing the Title III Job Training Partnership Act funds, in accordance with the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act found in P.L. 100-418, effective August 23, 1988. Section 2625.20 provides definitions for the program. Section 2625.30 addresses the allocation of Title III funds. Section 2625.40 specifies the procedure governing designation of substate areas. Section 2625.50 provides the provisions for designating substate grantees.
- 6) Will these proposed rules replace an emergency rule currently in effect? Yes.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed rules contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED RULES

concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. Dennis R. Whetstone, Deputy Director
 Department of Commerce and Community Affairs
 Bureau of Program Administration
 620 East Adams Street, 5th Floor
 Springfield, Illinois 62701
 (217) 782-6136

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 10, 1989.
- B) Types of small businesses and small municipalities affected: There will be no direct effect on small businesses or small municipalities as the result of this rulemaking.
- C) Reporting, bookkeeping or other procedures required for compliance: No reporting, bookkeeping or other compliance procedures are being imposed on either small businesses or small municipalities.
- D) Types of professional skills necessary for compliance: This is not applicable since small businesses and small municipalities are not directly affected by this rulemaking.

The full text of the Proposed Rules is the same as the text of Emergency Rules appearing on page 4021 of this Illinois Register.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Service Delivery System and State Responsibilities

2) Code Citation: 56 Ill. Adm. Code 2600

3) Section Numbers: 2600.20
2600.30
Proposed Action: Amendment
Amendment

4) Statutory Authority: Implementing Section 122 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988), Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, pars. 2101 et seq., as amended by P.A. 85-1424, effective December 20, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois.

5) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to revise the rules governing the composition of the Illinois Job Training Coordinating Council found in Sections 2600.20 and 2600.30. Additionally, Section 2600.20 has been amended to add, revise or delete definitions necessary to implement the "Economic Dislocation and Worker Adjustment Assistance" rules (56 Ill. Adm. Code 2625).

6) Will these proposed amendments replace emergency amendments currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. Dennis R. Whetstone, Deputy Director
Department of Commerce and Community Affairs

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

Bureau of Program Administration
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
(217) 782-6136

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 10, 1989.
- B) Types of small businesses and small municipalities affected: There will be no direct effect on small businesses or small municipalities as the result of this rulemaking.
- C) Reporting, bookkeeping or other procedures required for compliance: No reporting, bookkeeping or other compliance procedures are being imposed on either small businesses or small municipalities.
- D) Types of professional skills necessary for compliance: This is not applicable since small businesses and small municipalities are not directly affected by this rulemaking.

The full text of the Proposed Amendments is the same as the text of Emergency Amendments appearing on page 4030 of this Illinois Register.

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Administration of the Illinois Public Community College Act

- 2) Code Citation: 23 Ill. Adm. Code 1501

- 3) Section Numbers:

1501.501	amendment
1501.503	amendment
1501.508	amendment

Proposed Action:

- 4) Statutory Authority: Ill. Rev. Stat., 1987, Ch. 122, par. 102-16, and P.A. 85-1047

- 5) A Complete Description of the Subjects and Issues Involved: The purpose of this rulemaking is to make three changes to the Finance section of the Illinois Community College Board rules. The first is to rename the "disadvantaged student" grant program to "special populations" grant program to more accurately reflect the students served and services provided by recipients of the grant. The second is the elimination of language referring to "Business Assistance Grants," which are no longer in operation. The third change simply corrects a citation to a specific section of the rules in Section 1501.503.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

David Steelman, Associate Director
Governmental Relations
Illinois Community College Board
509 South Sixth Street, Room 400
Springfield, Illinois 62701-1874
Telephone: (217) 785-0028

Written comments on the proposed rulemaking will be accepted for 45 days following publication of this notice.

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: The Illinois Community College Board has determined that this rulemaking will not affect small business.

The full text of the Proposed Rule begins on the next page:

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request
1501.108	Organization of ICCB
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements
1501.112	Certification of Organization
1501.113	Administration of Mandatory and Voluntary Annexations and New District Formations
1501.114	Administration of Mandatory and Voluntary Annexations and New District Formations

SUBPART B: RECOGNITION

Section	
1501.201	Definition of Terms
1501.202	Recognition Provisions
1501.203	Evaluation
1501.204	Review and Appeal
1501.205	Recognition Standards

SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Program Planning
1501.305	College, Branch, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

SUBPART E: FINANCE

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Non-Resident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Disadvantaged-Student Grant
1501.509	Economic Development Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Matching Grant
1501.516	Repair and Renovation Grants

SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.301 of the Act
1501.609	Completion of Projects Under Section 3-20.301 of the Act

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs
1501.705	Finance
1501.706	Personnel

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENT(S)

1501.707 Facilities

SUBPART H: PERSONNEL

Section

- 1501.801 Definition of Terms
- 1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Article II of the Public Community College Act (Ill. Rev. Stat. 1987, ch. 122, pars. 102-1 et seq. and Ill. Rev. Stat. 1984 Supp., ch. 122, par. 102-16.01 as amended by P.A. 84-105, effective July 24, 1985 and P.A. 84-110, effective January 23, 1986).

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. _____, effective _____.

SUBPART E: FINANCE

Section 1501.501 Definition of Terms

Advanced Technology Equipment Grant. The Advanced Technology Equipment Grant provides state funds to Illinois public community colleges for the procurement of equipment necessary to upgrade curricula impacted by technological changes. (See Ill. Rev. Stat. 1984 Supp., ch. 122, par. 102.)

Annual Financial Statement. The "annual financial statement," which is required to be published by a district, consists of two parts: an annual financial report, which includes a statement of revenues and expenditures along with other basic financial data; and an annual program report, which provides a narrative description of programs offered, goals of the district, and student and staff data.

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Attendance at Mid-Term. A student is "in attendance at mid-term" in a course if the student is currently enrolled in and actively pursuing completion of the course.

Business Assistance Centers and Economic Development Offices. Business assistance centers and economic development offices are entities at community colleges that conduct, coordinate, and assist with economic development activities.

Business Assistance Grants. are grants authorized in Section 102-17 of the Illinois Public Community College Act for community colleges to provide assistance services to local businesses.

Disadvantaged Student. A "disadvantaged student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the non-disadvantaged. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are disadvantaged as determined by teacher and their students are disadvantaged as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

Disadvantaged Student Grant. A "disadvantaged student grant" provides funding for:
Special or extra services to assist disadvantaged students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies and testing/evaluation to determine courses or services needed by a disadvantaged student;
Courses (not funded through credit-hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult, basic education, adult secondary education, and English as a second language courses.

Economic Development Activities. Economic development activities create or retain jobs and increase employment opportunities.

Economic Development Grants. Economic Development Grants provide funds for conducting economic development activities.

Repair and Renovation Grants. Repair and renovation grants are state grants appropriated to the ICCB and distributed proportionally to each community college district based on the latest fall on-campus non-residential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities; cost of

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planning, supplies, equipment, materials, and services; and all other expenses required to complete the work.

Resident of a District. For purposes of ICCB grants only, a "resident of a district" is a student who meets the following criteria:

If unemancipated, at least one parent, step-parent, or court-appointed guardian of the student shall reside in the district.

If emancipated, the student shall have lived in the district, in some capacity other than as a student at a post-secondary education institution or a resident of a state or federal correctional institution, for a period of at least thirty (30) days prior to enrolling at the community college, unless evidence is presented that the student has permanently relocated for purposes other than attending school. Evidence of district residency shall be based on ownership and/or occupancy of a dwelling in the district and at least one of the following:

An Illinois driver's license.

An Illinois automobile license registration

An Illinois voter's registration card.

A document showing the student's past or existing status as a district student, e.g., a high school transcript

Other non-self-serving documentation.

Resident of Illinois. For purposes of payment of ICCB grants, a "resident of Illinois" is a person who meets the following criteria:

If unemancipated, at least one parent, step-parent, or court-appointed guardian of the student shall reside in Illinois. If emancipated, the student shall be a legal resident of the State of Illinois and have lived in Illinois, in some capacity other than as a student at a post-secondary education institution, for a period of at least thirty (30) days prior to enrolling at the community college, unless evidence is presented that the student has permanently relocated for purposes other than attending school. Evidence of legal residency shall be based on ownership and/or occupancy of a home in the State of Illinois and one of the following:

An Illinois driver's license.

An Illinois automobile license registration.

An Illinois voter's registration card.

Employment in the State of Illinois.

Payment of Illinois income tax.

A document showing the student's past or existing status as an Illinois student, e.g., a high school record.

Other non-self-serving documentation.

Special Populations Student. A "special populations student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college

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environment designed for the non-disadvantaged. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are special populations as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

Special Populations Grant. A "special populations grant" provides funding for:

Special or extra services to assist special populations students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies, and testing/evaluation to determine courses or services needed by a special populations student.

Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult basic education, adult secondary education, and English as a Second Language courses.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 1501.503 Audits

a) External Audits.

1) Three (3) copies of the annual external audit shall be submitted to the ICCB on or before October 15, following the close of the fiscal year. If the audit cannot be completed by this date, the district may submit a request for extension of time to the Executive Director before October 1, following the close of the fiscal year. This request shall be accompanied by an explanation of the circumstances which cause the report to be delayed along with an estimated date for submission.

2) Each audit report shall contain a combined and combining statement of revenues and expenditures along with a combined and combining balance sheet composed of the funds established in Section 1501.511, a comment on internal control, a comment on basis of accounting, uniform financial statements, a certificate of chargeback verification and a state grant compliance section which shall include a schedule of enrollment data, a verification of enrollment data, a schedule of the district equalized assessed valuation and the statutory calendar year allocation of Corporate Personal Property Replacement Taxes for debt retirement and schedules for the restricted grants distributed by the ICCB and received by the district in the manner and format established by the ICCB.

A) The special populations disadvantaged---student grant

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schedules shall verify that special populations disadvantaged-student grant funds received by the district were expended in accordance with Section 1501.508(c) and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

Multi-campus districts shall submit a single report for the district which includes separate statements for each college as such relate to Section 1501.508(e).

B) The Economic Development Grant schedules shall verify that the Economic Development Grant funds received by the district were expended in accordance with Section 1501.509 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

C) ~~The-Business-Assistance-Grant-audit-report-shall-include--a schedule-of--revenues--and--expenditures--The-report-shall verify--that--the--Business--Assistance--Grant--funds--were expended--in--accordance--with--Section-1501-514--The-report shall-also-verify-that-the-funds-used-to-match--this--grant are-in-accordance-with-Section-1501-514-~~

B)C) The Advanced Technology Equipment Grant schedules shall verify that the Advanced Technology Equipment Grant funds were expended in accordance with Section 1501.515 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

B)D) The repair and renovation grant portion of the audit shall verify that the funds were received by the district in accordance with Section 1501-509 1501.516, and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

b) Confirmation of ICCB Grants. An audit confirmation shall be made to the ICCB for all ICCB grants received during the fiscal year. Each district will be provided a listing of grants made to the college by September 1, following the close of each fiscal year. The district shall confirm to the ICCB by October 15 that all of the grants made to the district for the fiscal year were received by the district.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 1501.508 Special Populations Disadvantaged-Student Grant

a) Special populations disadvantaged-student grant funds shall be allocated annually to each Illinois public community college district in accordance with Section 2-16 of the Act.

b) Special populations disadvantaged-student grant funds shall be

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accounted for in a restricted purposes fund.

c) The following are allowable expenditures for special populations disadvantaged-student grant funds:

1) Personnel. Salaries and benefits for courses and services provided only to special populations disadvantaged students.

A) Tutors, both student and professional.

B) Counselors and paraprofessional counselors who spend a minimum of fifty (50) percent of their time working with special populations disadvantaged students.

C) Adult basic/secondary and remedial education instructors, not to exceed thirty (30) percent of the total special populations disadvantaged-student grant per district.

D) Direct support service personnel for assistance to students with disabilities, e.g., readers, notetakers, and drivers.

E) Professional and Paraprofessional staff who provide outreach services and special retention programs designed for special populations disadvantaged students.

2) Testing and Assessment Materials. Testing and assessment materials used to identify special populations educationally disadvantaged students.

3) Instructional Equipment. Books, media packages such as computer software, and testing and evaluation materials provided only to special populations disadvantaged student.

4) Instructional Equipment. Lease or purchase of, e.g., tape recorders, small computers, and readers provided only to special populations disadvantaged students.

5) Travel related only to special populations disadvantaged student activities for both college personnel and students.

A) Special populations disadvantaged student activities such as field trips and student transportation.

B) Conference expenses related directly to special populations disadvantaged-student grant activities.

6) Staff development expenditures for special populations disadvantaged-student grant personnel and outside consultants.

7) The following special populations disadvantaged-student grant administrative expenditures related only to special-populations disadvantaged-student grants. The total administrative expenditures may not exceed thirty (30) percent of the total special populations disadvantaged-student grant per district.

A) Administrative salaries.

B) Office staff salaries.

C) Office equipment.

D) Utilities.

E) Rental of facilities.

d) Reports of services, courses, and expenditures supported by the special populations disadvantaged-student grant shall be filed with the ICCB by August 1 of each year of forms provided by the ICCB.

e) An initial grant in the amount designated in Section 2-16 of the Act shall be allocated for expenditure by each community college within a

ILLINOIS COMMUNITY COLLEGE BOARD

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multi-campus district. Remaining funds within a multi-college district may be allocated according to district policies.

- f) ~~Special--populations~~ **Bisadvantaged--student** grant funds shall be expended or obligated prior to June 30 each year. Goods for which the funds have been obligated shall be received prior to September 30 following the end of the fiscal year for which the funds were appropriated. Funds for services, including salaries and benefits, may not be obligated for services rendered after June 30. Unexpended funds shall be returned to the ICCB by October 15 following the end of the fiscal year.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENT

- 01) Heading of the Part: Safety, Maintenance and Sanitation
- 2) Code Citation: 20 Ill. Adm. Code 502
- 3) Section Numbers: 502.40
Proposed Action: Amend
- 4) Statutory Authority: Implementing and authorized by 3-7-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, par. 1003-7-2).
- 5) A Complete Description of the Subjects and Issues Involved: The Department wishes to discontinue the practice of requiring annual physical examinations of food service workers. Exams are not required by the Department of Public Health and current public health thinking is that exams in general are not useful. The Department will, however, medically screen individuals prior to placement in food service areas.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? Yes
X No
- 8) Does this proposed amendment contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: Not applicable; this amendment does not constitute a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
- All written comments received within 45 days of the date of the publication will be considered.
- 12) Initial Regulatory Flexibility Analysis: Not required; this rulemaking does not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF CORRECTIONS
NOTICE OF PROPOSED AMENDMENT

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER e: OPERATIONS

PART 502
SAFETY, MAINTENANCE AND SANITATION

SUBPART A: FOOD SERVICE

Section
502.10
502.20
502.30
502.40

Applicability
Menus
Special Diets
Sanitation

SUBPART B: CLEANLINESS AND GROOMING FOR COMMITTED PERSONS

Section
502.100
502.105
502.110

Applicability
Responsibilities
Procedure

SUBPART C: CLOTHING, BEDDING, LINENS

Section
502.200
502.205
502.210
502.220
502.230

Applicability
Responsibilities
Clothing
Bedding
Linens

SUBPART D: CLOTHING AND GRANTS FOR TRAVEL AND EXPENSES

Section
502.300
502.310
502.320

Applicability
Clothing for Release
Grants for Travel and Expenses

AUTHORITY: Implementing Sections 3-7-2 and 3-14-1 and authorized by Section 3-7-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, pars. 1003-7-2, 1003-14-1 and 1003-7-1).

SOURCE: Adopted at 8 Ill. Reg. 14618, effective August 1, 1984; amended at 11 Ill. Reg. 7264, effective May 1, 1987; amended at _____, effective _____.

ILLINOIS REGISTER
DEPARTMENT OF CORRECTIONS
NOTICE OF PROPOSED AMENDMENT

SUBPART A: FOOD SERVICE

Section 502.40 Sanitation

- a) All persons assigned to the food services department shall be examined and approved screened by medical staff prior to commencing work in food service areas; and annually thereafter.
- b) Sanitary practices shall be observed in the storage, handling, preparation and serving of food products.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of Part: Surplus Line Business Requirements
- 2) Code Citation: 50 Ill. Adm. Code 2801
- 3) Section Number: 2801.50
Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 401 and 445 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 1013 and 1057).
- 5) A Complete Description of the Subjects and Issues Involved:
The purpose of this amendment is to require Producers to submit the prospective coverage to the Illinois involuntary market prior to placing the insurance with a surplus lines carrier.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: N/A
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking? Persons interested in commenting on this proposed amendment may do so in writing within 45 days of publication of the proposed amendment in the Illinois Register. Please direct written comments to:

Timothy M. Cena
Illinois Department of Insurance
100 W. Randolph, Suite 15-100
Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 27, 1989
- B) Types of small businesses affected: Individual insurance producers licensed as surplus line producers.

C) Reporting, bookkeeping or other procedures required for compliance:

Producers are required to submit the prospective coverage to the Illinois Involuntary market prior to placing the insurance with a surplus lines carrier.

D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page.

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

TITLE 50: INSURANCE:

CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER gg: FINAL PROVISIONS

procured from companies which are authorized to transact business in this State and that such procurement was authorized in accordance with the surplus line law.

PART 2801

SURPLUS LINE BUSINESS REQUIREMENTS

Section

2801.50 Procurement of Policies or Contracts

AUTHORITY: Implementing Section 445 of the Illinois Insurance Code and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 1013 and 1057).

SOURCE: Filed July 11, 1958; codified at 7 Ill. Reg. 897; amended at 12 Ill. Reg. 11754 effective July 1, 1988; amended at ____ Ill. Reg. ____ effective ____).

Section 2801.50 Procurement of Policies or Contracts

- a) The Surplus Line producer must exert diligent effort to procure the policies or contracts required by the insureds from companies which are authorized to transact business in Illinois (Section 445 of the Code). Diligent effort by the Surplus Line producer shall be deemed to have been exercised if the Surplus Line producer or the referring insurance producer shall submit a risk to three or more authorized companies, which are engaged in writing in Illinois the type of coverage sought, or if there are no companies actually engaged in writing such coverage, the risk shall be submitted to companies which, in the Surplus Line producer's or the insurance producer's professional judgement, are the most likely to accept the risk. Primary coverages for commercial fire, residential fire including homeowners, commercial and private passenger auto liability and worker's compensation shall be submitted to the respective involuntary market, i.e., Illinois FAIR Plan Association, Illinois Automobile Insurance Plan and the Illinois Worker's Compensation Assigned Risk Plan.

- b) Submission of insuring contracts to the Surplus Line Association of Illinois constitutes a certification by the surplus line producer or by the insurance producer who presented the risk to the surplus line producer for placement as a surplus line risk that after diligent effort the required insurance could not be

(Source: Amended at ____ Ill. Reg. ____ effective ____).

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Funeral Directors and Embalmers Act

2) Code Citation: 68 Ill. Adm. Code 1250

3) Section Numbers:

1250.130
1250.190

Proposed Action:

Amending
Amending

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111, pars. 2805, 2818 and 2825.

5) A Complete Description of the Subjects and Issues Involved: These amendments primarily affect Section 1250.130 regarding requirements for traineeship. The funeral director trainee shall participate in at least 24 funerals and the embalmer trainee shall assist in the preparation of at least 24 deceased human bodies. This modifies the current requirement of 25.

A new subsection (c) has been added to Section 1250.130 which requires the trainee to submit to the Department, on forms provided by the Department, a case report for each of the 24 funerals or body preparations which are required in subsection (b).

A new subsection (h) has been added to Section 1250.190 which states that it is in violation of this Part if a registrant engages in or permits his agents, assistants, employees, or anyone acting on his behalf, to make false statements on any funeral director or embalmer trainee report where such person knew, or should have known that the statement was false.

6) Will these proposed Rules replace an emergency Rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed Rules contain incorporations by reference? No

9) Are there any other proposed Rules pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Department of Professional Regulation

Attention: Jean A. Courtney

320 West Washington, 3rd Floor

Springfield, IL 62786

217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 9, 1989

B) Types of small businesses affected: Licensed funeral directors, funeral director trainees, licensed embalmers, and embalmer trainees.

C) Reporting, bookkeeping or other procedures required for compliance: Funeral director trainees and embalmer trainees are required to submit to the Department, on forms provided by the Department, a case report for each of the 24 funerals or body preparations which are required in accordance with Section 1250.130(b).

D) Types of professional skills necessary for compliance: Licensed funeral directors, funeral director trainees, licensed embalmers and embalmer trainees.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1250
FUNERAL DIRECTORS AND EMBALMERS ACT

Section	Approved Programs of Mortuary Science
1250.110	Application
1250.120	Requirements for Traineeship
1250.130	Examination
1250.140	Reciprocity
1250.150	Restoration
1250.160	Requirements for a Preparation Room
1250.170	Violations
1250.190	Renewals
1250.200	Advertising
1250.205	Granting Variances
1250.210	

AUTHORITY: Implementing The Funeral Directors and Embalmers Licensing Act of 1935 (Ill. Rev. Stat. 1967, ch. 111, par. 2800 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations for the Administration of the Illinois Funeral Directors and Embalmers Act, effective March 19, 1975; Amended at 4 Ill. Reg. 30, p. 1238, effective July 10, 1980; Codified at 5 Ill. Reg. 11034, effective October 1, 1981; Repealed and New Rules Adopted at 6 Ill. Reg. 4203, effective April 26, 1982; emergency amendment at 7 Ill. Reg. 7675, effective June 14, 1983, for a maximum of 150 days; amended at 9 Ill. Reg. 4529, effective March 27, 1985; transferred from Chapter I, 68 Ill. Adm. Code 250 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1250 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2931; amended at 13 Ill. Reg. _____, effective _____.

Section 1250.130 Requirements for Traineeship

- A registered funeral director or registered embalmer who agrees to sponsor a trainee shall be responsible for teaching the trainee the practical aspects of his profession, for demonstrating actual procedures, and for directing and supervising the procedures done by the trainee.
- At regular intervals during the year, the trainee shall be given primary responsibility for:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

- In the case of a funeral director trainee,
 - Assisting or participating in the arrangement of at least 25 24 funerals, including completing the necessary paperwork, and
 - Assisting in the arrangement of a selection room, including buying, pricing, providing a description of each casket and other pertinent information;
- In the case of an embalmer trainee assisting in the preparation of at least 25 24 deceased human bodies, including cosmetic application, and dressing and casketing. If possible, at least one of the bodies should have been autopsied.
- The trainee shall submit to the Department, on forms provided by the Department, a case report for each of the 24 funerals or body preparations which are required in accordance with subsection (b) above.
 - Six case reports shall be submitted every three months during the year of the apprenticeship.
 - If the trainee has not completed a total of six cases in the three month period, he shall submit the case reports for the cases completed and state the reason(s) why he was unable to complete all six cases (e.g. lack of available cases, illness, change of ownership).
 - All case reports shall be signed by the trainee and the sponsor.
- The Department shall have the authority to investigate to determine compliance with this Section, and to question the sponsor and the trainee to determine whether the trainee has been properly instructed and has performed the required procedures.
 - A trainee may serve his training period under more than one registered embalmer or funeral director in this State. A change of employment application must be requested and properly executed, then returned to the Department within one month following the date of change of sponsorship.
 - Upon completion of the required year of traineeship, the sponsor shall complete an affidavit, on forms supplied by the Department, stating that the trainee has satisfactorily completed the appropriate procedures under his direction and supervision.
 - Trainees must satisfactorily complete the prescribed one year of training as evidenced by the documentation required by Section

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1250.130(c), and pass the National Board examination prior to licensure. For the purpose of determining completion of the prescribed one year of traineeship, the traineeship shall commence on the date of the issuance of the trainee certificate.

- g) h) If the certificate of registration of a registered funeral director trainee or embalmer trainee cannot be renewed in accordance with Section 15 of Article III of the Act and the trainee has not yet received his year of traineeship, he may reapply to the Department under the Act and Rules in effect at the time of his reapplication. No credit will be allowed for any examinations he may have previously passed or for any traineeship he may have previously earned.

- h) i) The provisions of this Section shall apply to all applicants upon adoption without regard to where an applicant is in the application process.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 1250.190 Violations

It shall be a violation of this Part these Rules if a registrant either directly or indirectly engages in, or permits his agents, assistants, employees, or anyone acting on his behalf, to engage in any of the following acts:

- a) Making false statement(s) on a Certificate of Death, where such person knew, or should have known that the statement was false.
- b) Holding or refusing to release, for monetary purposes, custody of the remains of a deceased human body upon the proper request of the person or persons making the funeral arrangements and/or lawfully entitled to custody thereof.
- c) Making any false or misleading statements about the laws concerning the disposal of human remains, including, but not limited to, the need to embalm, the need for a casket for cremation or the need for an outer burial vault.
- d) Encouraging requesting or suggesting that a person utilize the services of a certain funeral director, embalmer, or funeral establishment, unless such information has been expressly requested by such person. This shall not prohibit general advertising or pre-need solicitation.
- e) Soliciting human bodies, whether such solicitation occurs after death or while death is imminent.

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- f) Performing any act or practice which is a violation of the Act, or any federal, state or local laws, rules, or regulations governing the practice of funeral directing and/or embalming.
- g) Performing any act or practice which is a violation of Section 2 of the Consumer Fraud and Deceptive Business Practices Act. Such Section is incorporated herein by Ill. Rev. Stat. 1987-1988, ch. 121 1/2, par. 262.
- h) Making false statements on any funeral director or embalmer trainee report where such person knew, or should have known that the statement was false.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: FOOD STAMPS2) Code Citation: 89 Ill. Adm. Code 1213) Section Number: Proposed Action:

121.58

Amendment

121.62

Amendment

4) Statutory Authority: Sections 12-4.4 through 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-4.4 through 12-4.6 and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends Department rules on the Food Stamp Program to conform with provisions of the Federal Hunger Prevention Act of 1988. Specifically, it (1) excludes from financial resources the value of farm property essential to a household member's self-employed farming operation until one year after cessation of such operation; and (2) gives households deriving income from a self-employed farming operation the option to have that income, and the irregular expenses incurred to produce the income, averaged over a 12-month period.

6) Will these proposed amendments replace emergency amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date?Yes No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Office of the General Counsel, Illinois Department of

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Public Aid, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
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AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13).

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p.

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- 399, effective August 18, 1979; amended at Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 32 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1; effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898,

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effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988, amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 121.58 Exempt Assets

a) Homestead Property

1) The home and surrounding property which, exclusive of public rights of way, is not separated from the home by intervening property owned by others.

2) Homes which are temporarily unoccupied for reasons of employment, training for future employment, illness, or inhabitability caused by casualty or natural disaster, remain exempt if the household intends to return.

3) A lot owned or being purchased by the household if the household intends to build or is building a permanent home and the household does not currently own a home.

b) Personal Property

Household goods, personal effects, one burial plot per household member, and the cash value of life insurance policies and pension plans except Individual Retirement Accounts (IRA's) and Keogh plans which do not involve a household member in a contractual relationship with someone who is not a member of the same food stamp household. If the Keogh plan involves a member of the household and someone who is not a member of the same food stamp household, it is exempt unless the client can withdraw funds from the plan without affecting the other individual(s).

c) Income Producing Property

1) Property which is annually producing income consistent with its fair market value (including land or buildings being sold by installment contract), even if only used on a seasonal basis.

2) Property which is essential to the employment or self-employment of a household member, such as, farmland and work related equipment (tools of a tradesman, farm machinery). In the case of farm property (including land, equipment, and

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Section 121.58 Exempt Assets (Cont'd.)

supplies) that is essential to the self-employment of a household member in a farming operation, the value of such property shall be excluded from financial resources until the expiration of the one (1) year period beginning on the date such member ceases to be self-employed in farming.

- 3) A rental home which is used by a household for vacation purposes at sometime during the year is an asset, unless excluded by the preceding subsection (1).

d) Governmental Disaster Payments

Any governmental payments specifically designated for the restoration of a home damaged in a disaster (if the household is subject to a legal sanction if the funds are not used as intended).

e) Inaccessible Assets

Assets whose cash value is not accessible to the household, such as but not limited to:

- 1) irrevocable trust funds,
- 2) security deposits on rental property and utilities,
- 3) property in probate,
- 4) real property when a good faith effort is being made to sell at a reasonable price, or
- 5) jointly owned assets which cannot be practically subdivided and are accessible only with the consent of the joint owner who refuses to give that consent.
- 6) Non-liquid asset(s) (see Section 121.57(b)(2)(B)) which have a lien against it as a result of a business loan and the household is prohibited by the security or lien agreement from selling the asset(s).

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Section 121.58 Exempt Assets (Cont'd.)

f) Prorated Income

Money which has been prorated as income, such as income of self-employed persons or students.

g) Indian Lands

Indian lands held jointly with the tribe, or land that can be sold only with the approval of the Bureau of Indian Affairs.

h) Federal Statute Exclusions

Assets excluded for food stamp purposes by express provision of Federal Statute.

i) Licensed Vehicles

- 1) used primarily for producing income such as, but not limited to, a taxi, truck, or fishing boat. "Used primarily" means: used over 50% of the time the vehicle is used;
- 2) annually producing income consistent with its fair market value (even if only used on a seasonal basis);
- 3) necessary for long distance travel essential to employment, other than daily commuting (such as a sales person, migrant farmworker);
- 4) necessary for subsistence hunting or fishing (game and fish necessary for the livelihood of the household);
- 5) used as the household's home; or
- 6) necessary to transport a physically disabled household member regardless of the purpose of such transportation. Only one vehicle per disabled person is allowed. The vehicle need not be specifically equipped or used primarily for the transportation of the disabled individual.

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Section 121.58 Exempt Assets (Cont'd.)

*Agency Note: Exclusions 1-6 also apply when the vehicle is not in use because of temporary unemployment.

- 7) The equity value (but not fair market value) of one licensed vehicle per household, regardless of its use; and
- 8) The equity value (but not fair market value) of any other licensed vehicles used to transport household members to and from employment, training or education which is preparatory for employment, or to seek employment in compliance with job search criteria. Temporary periods of unemployment are not to affect this exemption.
- 9) Property, real or personal, to the extent that it is directly related to the maintenance or use of a vehicle excluded under subsections (i)(1), (i)(2) or (i)(3) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 121.62 Income Which Must Be Annualized

- a) Self-Employment income must be annualized over a twelve month period even if received over a shorter period of time if it represents the household's annual income. ~~It is intended to meet the household's needs for only part of the year; it shall be averaged only for that period.~~ Notwithstanding the preceding sentence, household income resulting from the self-employment of a member in a farming operation, who derives income from such farming operation and who has irregular expenses to produce such income, may, at the option of the household, be calculated by averaging such income and expenses over a 12-month period.

- b) Self-employment income intended to meet the household's needs for only part of the year shall be averaged only for that period.

b7c) Resident farm laborer income shall be annualized

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Section 121.62 Income Which Must Be Annualized (Cont'd.)

over twelve months if it is received during the work season but is the only source of income for the year.

- e7d) School and other contractual employees who receive income over a period of time shorter than one year shall have income annualized over a twelve month period.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: Illinois Competitive Access and Reimbursement (ICARE) Program

2) Code Citation: 89 Ill. Adm. Code 149

3) Section Number: Proposed Action:

149.100 Amendment

4) Statutory Authority: Section 3-4 of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, Ch. 111 1/2, Par. 6503-4)

5) A Complete Description of the Subjects and Issues Involved: This revision removes the requirements for hospitals to submit documentation to the Department during ICARE negotiations associated with disproportionate share. Under a prior requirement, the Department reviewed this documentation for special consideration during ICARE negotiations. This requirement was removed in accordance with Public Act 85-1262, resulting from House Bill 4174.

This rule change is associated with a previous revision submittal to Section 149.105 "Factors Considered in Awarding ICARE Contracts", which is now in the second filing period. Section 149.105 removed the special consideration given to hospitals during ICARE negotiations because of particular revenue sources.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes X No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable)
(Ill. Rev. Stat. 1987, ch. 85, par. 2205): This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested

parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Thomas D. Toberman, Medical Program Analysis and Development, 201 South Grand Avenue East, Third Floor, Springfield, Illinois 62762 (217/524-7335). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 13, 1989

B) Types of small businesses affected: Hospitals

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendment begins on the next page:

NOTICE OF PROPOSED AMENDMENT

Section 149.100 Negotiation Procedures (Con'd)

shall prevent the institution of preliminary or initial negotiations during the first meeting.

c) The Department shall provide each hospital, which has notified the Department within ten (10) calendar days of its interest in participation under Section 149.50, with a copy of proposed contract provisions prior to the first meeting by mailing such proposed contract provisions with written notice of the date of the first meeting.

d) No later than the first meeting date, the hospital or hospitals shall submit to the Department a completed Provider Data Sheet to enable the Department to assure its receipt and examination of the information it must consider under Section 149.105(a). The Department shall furnish with its initial notification to hospitals of intent to open negotiations the form of such Provider Data Sheet. The Provider Data Sheet shall require:

- 1) Identification of the types and the quantities of services which the hospital believes to be specialized services that have been provided to recipients during the most recent two completed state fiscal years;
- 2) Identification of all types of services intended to be offered under contract which the hospital has not provided to recipients during the two most recent completed state fiscal years and documentation of the capacity to provide such services by category;
- 3) Identification of the types and severity of illness of patients treated by the hospital and complexity of care provided by the hospital to patients during the two most recent completed state fiscal years;
- 4) The amount and sources of net-patient-revenue-the-hospital-receives-or-should-receiver-for-the-most-recent-completed-fiscal-year-for-which-financial-reports-audited-by-an-independent-Certified-Public-Accountant-are-available-to-assess-the-percentage-of-net-patient-revenue-from-

NOTICE OF PROPOSED AMENDMENT

Section 149.100 Negotiation Procedures (Con'd)

medical-assistance-Medicare-free-care-units-bad-debt-and-free-care;

5)4) Financial data which identifies the sources and amounts of direct teaching costs as defined under Medicare and the allocation of a portion of those direct teaching costs to the Medical Assistance Program;

6)5) Terms of all existing labor-management collective bargaining agreements covering hospital employees.

e) After the first meeting and receipt from each hospital of its decision to participate in the ICARE Program as either a member of a group of hospitals or as an individual hospital under Section 149.75(c), the Department shall notify each hospital by certified or registered mail, return receipt requested, of the second meeting date. The purpose of the second meeting is to allow the hospital or group of hospitals to present and interpret terms and price and to identify the representative who has authority to bind the hospital or group of hospitals in the event of subsequent communications and negotiations. The representative who has authority to bind the hospital or group of hospitals shall be present at the second meeting and any subsequent meetings.

f) 1) Prior to conclusion of the second meeting, the hospital or group of hospitals shall have the opportunity to present other material relevant to Section 149.105 that it would like to have considered in the Department's evaluation of its firm and binding offer, and shall submit for negotiating purposes to the Department a firm and binding offer to supply inpatient hospital care under the ICARE Program. Such firm and binding offer shall be complete in all respects including rates to be paid by the Department for care rendered under the ICARE Program.

2) Prior to the conclusion of the second meeting, the hospital or group of hospitals shall provide written procedures for the timely admission of recipients being transferred from either a contracting or non-contracting hospital. Such

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Section 149.100 Negotiation Procedures (Con'd)

procedures shall be reviewed and approved by the Department prior to the execution of an ICARE contract.

- g) Written confirmation of the hospital's or group's firm and binding offer submitted at the second meeting and any relevant additional information which was requested by the Department during the first or second meeting must be received by the Department within ten (10) calendar days of the conclusion of the second meeting.

- 1) The content of the first and second meetings and any subsequent meetings is strictly privileged and confidential and any documents, minutes, data, communications or other similar material and information held by the Department is exempt from the inspection and copying requirements of the Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.). The conduct of the first and second meetings and any subsequent meetings and the contents thereof shall not be subject to the provisions of the Open Meetings Act (Ill. Rev. Stat. 1983 1987, ch. 102, par. 41 et seq.).

- 2) Except as explicitly agreed to by the Department and a hospital or group of hospitals, the contents of all meetings, including the first, second and any subsequent meetings and communications in the course of negotiating and arriving at terms of a contract under the ICARE Program shall be strictly privileged and confidential. In the event that documents, minutes, data, communications or other similar material and information held by a party to negotiations or to a contract are sought by a third party through administrative process, court order or other similar administrative or judicial mechanisms, the party subject to such attempt shall immediately notify the other party and allow such other party to contest such attempt jointly or of its own accord.

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- 3) During the first meeting all hospitals shall individually execute for the Department a document in which the hospital shall:

- A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and
- B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any action brought by the Department for such purpose.

- 4) During the first meeting at which a group of hospitals meets with the Department for purposes of negotiating as a single contracting entity, the group's designated representative shall execute for the Department a document in which the hospital shall:

- A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and
- B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any action brought by the Department for such purpose.

- 5) During the course of the first and second meetings and any other subsequent meetings, both the representatives of the Department and the hospital or group of hospitals may take written notes, but no other record keeping by methods such as stenographic transcript or tape recording shall be permitted.

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Section 149.100 Negotiation Procedures (Con'd)

- 6) Any contract executed as a result of negotiations under the ICARE Program may be inspected or copied pursuant to the The Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.), upon the certification by the Department that all contracts to be negotiated under the ICARE Program in all ICARE areas designated by the Department for contract negotiations have been executed.

- h) The Department, in considering determinations of the Board, shall specify in writing to the Board the points relied upon in any instance in which the Department's conclusion as to the advisability of entering into a contract is contrary to that of the Board. Such written recitation of points is part of the contract negotiating process and, as such, the Board may receive and deliberate upon such written recitation in closed session. Such written recitation is exempt from the inspection and copying requirements of the The Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.).

- i) Written determinations both to grant contracts and to the specific provisions in such contracts shall be made by the Department to the Board for each hospital or group of hospitals within an ICARE area no less than 45 days prior to the effective date of the contracts.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

- 1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

- 2) Code Citation: 89 Ill. Adm. Code 147

- 3) Section Numbers: Proposed Action:

147.25 Amendment
147.50 Amendment

- 4) Statutory Authority: Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5 and 12-13)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking simplifies Inspection of Care rules to facilitate their function as an assessment tool. Criteria have been reorganized so greater emphasis is placed on patient observation rather than staff documentation skills.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
147.205	Amendment	October 28, 1988 (12 Ill. Reg. 17201)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be

in writing and should be addressed to Thomas D. Toberman, Division of Medical Programs, Illinois Department of Public Aid, Prescott E. Bloom Building, 201 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62763, (217) 524-7335. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:
(If applicable, answer the following questions)

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 13, 1989
- B) Types of small businesses affected: Medical Providers
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begin on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 147
REIMBURSEMENT FOR NURSING COSTS FOR
GERIATRIC FACILITIES

Section 147.5	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities
147.25	Functional Areas-of Needs and Restorative Care
147.50	Service Needs
147.75	Definitions
147.100	Reconsiderations
147.105	Midnight Census Report
147.125	Times and Staff Levels
147.150	Statewide Rates
147.175	Referrals
147.200	Basic Rehabilitation Aide Training Program
147.205	Interim Nursing Rates
TABLE A	Staff Time and Allocation by Need Level
TABLE B	Staff Time and Allocation for Restorative Programs
AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)	
SOURCE: Sections 147.5 thru 147.205 and 147.205 and 147.205 thru 147.205 B recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.912 and 140.912 Table I at 12 Ill. Reg. 6956); amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. _____, effective _____.	

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 147.25	Functional Areas-of Needs and Restorative Care
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A Resident Assessment Instrument is used to assess the variable needs of public assistance residents for determination of statewide nursing rates and facility reimbursement levels. The Resident Assessment guidelines as described in this Section

NOTICE OF PROPOSED AMENDMENTS

Functional Areas-of Needs and Restorative Care (Cont.d)

Section 147.25

identify the functional needs of the resident and the programs developed to improve their functional abilities.

a) Category 1 - Bathing/Grooming

1) Functional Description

A) Needs and receives hands-on assistance due to functional deficit(s) (as determined by physical or psychological causes). Resident is helped with bathing some part of her or his body. This includes oral hygiene, washing hair and shaving.

2) Totally dependent. Resident requires and receives total assistance due to a functional deficit(s) (as determined by physical or psychological causes) from staff with bathing by staff. Resident is bathed by a staff person whether the bath is given in the tub, shower, or bed.

2) Restorative Care

Bathing and Grooming - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in bathing and grooming due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and program intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

4) Agency Note: Prior to a resident being given credit for restorative care in any program, the following must be met:

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Functional Areas-of Needs and Restorative Care (Cont.d)

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A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

C) Program must be reflected in the resident's care plan.

D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record at least monthly.

E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 456.380 (1987) for intermediate care facilities and 42 CFR 456.280 (1987) for skilled nursing facilities.

b) Category 2 - Clothing

1) Functional Description

A) Needs and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes). Resident requires and receives help with getting dressed. This involves the actual assisting with putting on clothes.

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- 2+) B) Totally dependent. Resident requires and receives total assistance due to a functional deficit(s) (as determined by physical or psychological causes) from staff with dressing by-staff. Resident is dressed by a staff person and does not participate in dressing of self. This includes bedfast residents being dressed in gown, pajamas, etc.

2) Restorative Care

Clothing - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in dressing due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

- 4) Agency Note: Prior to a resident being given credit for restorative care in any program, the following must be met:

- A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.
- B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be

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conducted as frequently as needed based on outcome and response.

- C) Program must be reflected in the resident's care plan.
- D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record.

E) The program is reviewed by the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial movement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 456.380 (1987) for intermediate care facilities and 42 CFR 456.280 (1987) for skilled nursing facilities.

c) Category 3 - Eating

Functional Description

- 1) Resident needs and receives hands-on staff assistance due to functional deficit(s) (as determined by physical or psychological causes) to eat some part of the meal.
- 2) Totally dependent. Resident requires and receives total assistance due to a functional deficit(s) (as determined by physical or psychological causes) from staff with eating.
- 3) Tube Feeding. Resident requires and receives tube feeding. Resident is fed through naso/gastric tube or gastrostomy tube regardless of other oral food intake.

d) Category 4 - Mobility

1) Functional Description

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A) Needs and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes) with standing, transfer or movement about the facility. Staff provides assistance with transfer from bed to chair, walker or wheelchair. Resident can ambulate or move about facility per self once transfer is completed. Or, resident can transfer independently, but staff must assist resident with movement about the facility.

2) B) Resident requires and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes) to transfer from bed to chair or wheelchair and requires and receives assistance with movement about the facility.

2) Restorative Care

Mobility - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in transferring, ambulation, wheelchair mobility, and/or bed mobility due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

4) Agency Note: Prior to a resident being given credit for restorative care in any program, the following must be met:

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A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

C) Program must be reflected in the resident's care plan.

D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record.

E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 456.380 for intermediate care facilities and 42 CFR 456.280 for skilled nursing facilities.)

e) Restorative Care

1) Bathing and Grooming --- Staff has developed and is implementing a specific program to assist resident to improve and/or maintain functional abilities in bathing and grooming.

2) Clothing --- Staff has developed and is implementing a specific program to assist resident to improve and/or maintain functional abilities in clothing.

- 3) Bathing---Staff-has-developed-and-is-implementing a-specific-program-to-assist-resident-to-improve and/or-maintain-functional-abilities-in-eating.
- 4) Mobility-----Staff-has-developed-and-is implementing-a-specific-program-to-assist resident-to-improve-and/or-maintain-functional abilities-in-transferring-ambulation-and/or wheelchair-mobility.

Agency Note---Prior-to-a-resident-being-given-credit for-restorative-care-in-bathing-clothing-eating-or mobility-the-following-must-be-met---an-assessment completed-identifying-the-resident's-current-level-of functioning-and-a-plan-developed-to-increase-this level-of-functioning-by-either-a-physical-therapist occupational-therapist-or-a-registered-nurse-who-has successfully-completed-an-approved-rehabilitation course--a-reassessment-is-conducted-as-indicated-in the-initial-plan--An-assessment-must-be-conducted-at least-every-90-days-but-can-be-conducted-as-frequently as-needed-based-on-outcome-and-responder-programs-must be-reflected-in-the-resident's-care-plan--Staff carries-out-the-restorative-care-as-indicated-by-the plan-and-receives-resident's-response-to-the restorative-care-in-the-clinical-record-and-the program-is-reviewed-at-the-time-of-the-care-plan meeting-by-the-interdisciplinary-team--If-resident fails-to-increase-his-functional-ability-or-if-the rate-of-decline-of-that-functional-ability-is-slowed credit-will-still-be-given-as-long-as-restorative-care continues-to-be-eaten-out--(The-care-plan-review-is required-by-42-CPR-456-300-(1984)-for-intermediate care-facilities-and-42-CPR-456-280-(1984)-for-skilled nursing-facilities--The-interdisciplinary-team-is defined-in-77-Ill.-Adm.-Code-300-330).

Category 5 - Continence

- 1) Due-to-incontinence-of-bladder-and/or-bowel staff-changes-resident's-clothing-and/or-bedding more-than-four-times-in-a-24-hour-period.
- 2) Staff-assists-resident-to-toilet-as-frequently-as indicated-by-resident-need--Resident-is-kept

Category 6 - Psycho/Social/Mental Status

- 1) Resident is incontinent of bladder and/or bowel (includes dribbling).
- 2) Resident is incontinent and assisted to toilet as frequently as indicated by resident need.

(see Agency Note regarding bowel and bladder retraining program.)

Category 6 - Psycho/Social/Mental Status

- 1) A-qualified-mental-health-professional-or appropriate-professional-staff-has-developed-and is-implementing-a-specific-intervention-program that-addresses-psycho/social-needs--This-program must-be-in-the-care-plan-and-the-resident's response-to-staff's-intervention-must-be-recorded in-the-clinical-record--These-interventions-can occur-in-a-1-1-scheduled-counseling-or-in-a-group setting--If-in-a-group-setting-the-group-must-be appropriate-in-size-(no-more-than-eight)-and consist-of-residents-with-similar-goals--This intervention-occurs-at-least-twice-a-week.

- 2) A-qualified-mental-health-professional-or appropriate-professional-staff-has-developed-and is-implementing-a-specific-intervention-program that-addresses-psycho/social-needs--This-program must-be-in-the-care-plan-and-the-resident's response-to-staff's-intervention-must-be-recorded in-the-clinical-record--These-interventions-can occur-in-a-1-1-scheduled-counseling-group setting-or-can-consist-of-a-plan-with-staff using-ongoing-specifically-identified interventions-for-correcting-episodic-behavioral

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problems as they occur. If in a group setting the group must be appropriate in size (no more than eight) and consist of residents with similar goals. This intervention occurs more than twice a week.

- 3) Due to a specific psychiatric disorder a qualified mental health professional has developed and is implementing a specific intervention program to decrease resident's inappropriate behavior related to his/her diagnosis. The intervention program may occur in multiple settings (i.e., 1) scheduled counseling group setting consisting of no more than eight residents with similar goals and on-going specifically identified interventions for correcting episodic behavioral problems.

1) Functional Description

Staff has developed and is implementing a specific intervention program that addresses psychosocial needs. This program is monitored by a QHP as evidenced by signing off on care plan and/or response notes, with written recommendations as appropriate in the clinical record. This program must be in the care plan and the resident's response to staff's intervention must be recorded in the clinical record at least monthly. Interventions may occur in 1:1 scheduled counseling sessions, group sessions no larger than eight, or strictly incident intervention. Incident intervention only programs are limited to residents with severe behavior problems which preclude participation in a more structured setting. Incident intervention only must consist of a plan with staff using ongoing specifically identified interventions for identified behavior occurrences. The plan may consist of any combination of the above-mentioned techniques. Interventions must take place at least three times a week.

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- 2) Agency Note: Prior to a resident program being given credit for psychosocial/mental status, the following must be met:

- A) An assessment completed identifying the resident's current psychosocial need and a specific plan developed. For episodic intervention, an assessment must include duration, intensity and frequency of behavior. The assessment for episodic behavior must also include precipitating factors and consequences.
- B) A reassessment is conducted as indicated in the initial plan. A reassessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.
- C) A program must be reflected in the resident's care plan.
- D) Staff carries out the program as indicated by the plan and records such in the clinical record.
- E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team. (The care plan review is required by 42 CFR 456.380 (1984) for intermediate care facilities and 42 CFR 456.280 (1984) for skilled nursing facilities. The interdisciplinary team is defined in Department of Public Health Rule 77 Ill. Adm. Code 300.330.)
- Agency Note: Prior to a resident being given credit for psychosocial/mental status the following must be met: an assessment completed identifying the resident's current psychosocial need and a specific plan is developed by a qualified mental health professional or appropriate professional staff to address the resident's psychosocial need, a reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every

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90 days but can be conducted as frequently as needed based on outcome and response; program must be reflected in the resident's care plan. Staff carries out the program as indicated by the plan and records resident's response to the program in the clinical record; and the program is reviewed at the time of the care plan meeting by the interdisciplinary team. (The care plan review is required by 42 CFR 456.380-456.380 for intermediate care facilities and 42 CFR 456.380-456.380 for skilled nursing facilities. The interdisciplinary team is defined in 77 Ill. Adm. Code 300.330).

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 147.50 Service Needs

This Section describes the Department's method of reimbursement for nursing costs for service needs through the use of the Resident Assessment Instrument. It further describes therapy services that may be needed by residents that are reimbursable through a separate post-payment audit system.

a) Category 1 - Appliances

a) Services are measured in terms of frequency and intensity and evaluated as to the service needed on the day of the survey unless a different time frame is specified for that particular service.

b) Intensity is measured in terms of the type of nursing staff primarily or solely responsible for providing the service. Uncomplicated services may be carried out by unlicensed personnel under licensed supervision. More complex services or services provided for residents with conditions requiring more skilled care can be carried out only by licensed staff.

c) Some services vary only in frequency; for example, the giving of injections. Each item states whether the service is a "frequency" or "intensity" rated service.

d) The following are services regularly provided in group

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care facilities. Each item states whether the service is a "frequency" or "intensity" rated service.

1) Type Code: Frequency codesA) One or more appliance.12) Appliances

A) Appliances, restricted to the following devices, that the facility staff assist the resident with applying, and/or maintenance/care of the appliance as indicated per physician's or dentist's orders and/or resident plan of care.

#A) Hearing device (one or two)

#B) Elastic joint supports

#C) Tied or jobst hose (one or two)

#D) A neck brace

#E) A back brace

#F) Artificial limbs

#G) Trusses (male and female)

#H) Prescribed ACE bandages

#I) Cervical collars

#J) Leg braces

#K) Arm braces

#L) Head braces

#M) Splints

#N) Slings

#O) Contact lens

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- **v

Artificial eye
- **i

Protective helmet
- **i

Cylinder braces
- **s

Eyeglasses
- **t

Dentures
- **u

Electrolarynx
- **i

Augmentative communication system
- **i

TENS Unit
- **v

Wheelchair cuffs
- **v

ADL adaptive equipment
- **z

Abductor bar/pillow

B) Type code: --Frequency codes

- i) (level-1)-One-or-two-appliance
- i) (level-2)-Three-or-more-appliances

2) Catheterization

b) Category 2 - Catheterization

Type code: Intensity codes

- A) (level-1) Indwelling, Texas, supra pubic catheter, intermittent catheterization, including care and irrigation
- B) (level-2)-Daily-intermittent-catheterization
- 3) Decubitus-Gare

c) Category 3 - Decubitus Treatment

Type code: Intensity codes

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- A1) (level-1) Resident has been admitted with a stage I or II decubitus ulcer.
- B2) (level-2) Resident has been admitted with a stage III or IV decubitus ulcer.
- e3) (level-3) Resident has a Stage I or II (level 4) Resident has a Stage III or IV decubitus ulcer that developed while in the facility.
- B4)

Agency Note:--In-the-event-of-ulcer progression-after-admission,-reimbursement shall-remain-at-the-admission-stage-level.

4) Decubitus-Prevention

d) Category 4 - Decubitus Prevention

Type code: Intensity codes

- A1) (level-1) Resident has been assessed, using an standardized assessment instrument, to determine risk for developing decubitus ulcers and has scored in the moderate risk category. A comprehensive preventative program as specified in the care plan is being implemented and must which includes, but is not limited to, such-measures-as positioning schedules, range of motion program, nutritional support, and skin measures (i.e., whirlpool, etc.) as determined by facility policy.
- B2) (level-2) Resident has been assessed, using an standardized assessment instrument, to determine risk for developing decubitus ulcers and has scored in the high risk category. A comprehensive preventative program as specified in the resident care plan is being implemented and must which includes but is not limited to, such measures-as special mattresses or cushions to reduce pressure, a positioning schedule, range of motion program, nutritional support

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decubitus ulcer that developed while in the facility.
and daily skin checks, and skin care measures (i.e., whirlpool, etc.) as dictated by facility policy for high risk residents.

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A1) Level-1 Required and received I.V. or clysis for at least 48 hours (intermittent or continuous) during the past two three months

B2) Level-2 Required and received I.V. or clysis seven or more days in past two three months.

5) Wound-Care

e) Category 5 - Wound Care

A) Wound-care (treatment of a skin lesion other than a decubitus ulcer) may include wet-packs, soaks, whirlpools, for open lesions or ointments when ordered by a physician and applied to lesions.

B) Type code: Intensity codes

i1) Level-1 Dressings and/or skin treatments for noninfected areas, which may require an over-the-counter medication.

i2) Level-2 Complex dressings (such as sterile dressings or post-op) and/or treatment to lesions that are infected.

6) Injections

f) Category 6 - Injections

Type code: Frequency codes

A1) Level-1 Requires and receives injections less than daily but at least once a month, on a regular basis as per physician order.

B2) Level-2 Requires and receives one or more injections daily.

7) I.V.'s and Clysis

g) Category 7 - Intravenous Therapy: I.V.'s and Clysis

Type code: Frequency codes

B) Type code: Intensity codes

Level-1 Resident requires and facility

8) Laboratory-Specimen-Service

h) Category 8 - Laboratory-Specimen Service

Type code: Frequency codes

Resident required and facility staff collected one or more of the following: a specimen including blood specimen, urine specimen either by midstream "cleancatch" or by catheter, sputum specimen, stool specimen, swabs of throat, lesions, diabetic urine test, telephonic pacemaker check or electrocardiogram or oximeter or glucometer readings or checking and monitoring of dialysis shunts. ~~Do not include specimens collected by an outside lab~~ are not included.

A1) Level-1 One time in the last three months.

B2) Level-2 Once a week.

C3) Level-3 Daily.

9) Speech-Language-Pathology-and-Audiology-(SLP/A) Rehabilitative-Services

A) There must be a reasonable likelihood that the treatment will improve the resident's functional means of communication. While there is no specific time limit on the duration of these services, improvement of the resident's condition must be evident in the therapist's documentation.

B) Type code: Intensity codes

Level-1 Resident requires and facility

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provides a Speech-Language Pathology and Audiology (SLP/A) Rehabilitative Program as ordered by a physician, planned and designed specifically for the resident by a certified speech-language pathologist/audiologist or clinical fellow (CFL) and including measurable goals. This program is carried out on a regularly scheduled basis by a certified speech-language pathologist/audiologist. Progress notes are to be recorded as to the improvement of the resident's condition. This service must be reevaluated monthly by the certified speech-language pathologist/audiologist or clinical fellow.

10) Medications/Medication Monitoring

i) Category 9 - Medications/Medication Monitoring

Type code: Intensity codes

A) Level 1 Resident needs and receives medication that requires special monitoring done by licensed or unlicensed personnel with licensed supervision, including vital signs, lab work, and elixirs that results in few, if any, changes in dosage or medication or amount of assessment necessary four times a day or more during off-hours or by multiple routes, and requires routine monitoring to check for untoward reaction or side effects. Also included is a resident who needs and receives medication that requires special monitoring by licensed personnel with need for assessing and reporting to physician if necessary, changes in resident status, lab work, side effects, or apparent drug interactions. This can result in an adjustment of dosage or medication, or in continuing assessment of an unstable condition.

B) Level 2 Resident needs and receives medication four times a day or more during off-hours or by multiple routes, and

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requires routine monitoring to check for untoward reaction or side effects.

E) Level 3 Resident needs and receives medication that requires special monitoring done by licensed personnel with need for assessing and reporting to physician if necessary changes in resident status, lab work, side effects or apparent drug interactions that can result in an adjustment of dosage or medication or in continuing assessment of an unstable condition.

11) Occupational Therapy and Related Rehabilitative Services

j) Category 10 - Occupational Rehabilitation Services

1) Type code: Intensity Code

The occupational rehabilitation program shall be ordered by a physician. It shall be planned and designed specifically for the resident by a registered or licensed occupational therapist (OTR/L). The program occupational rehabilitation services shall be administered by a rehabilitation aide or Certified Occupational Therapist Assistant under the supervision of the OTR/L. There shall be a monthly review of progress documented by the OTR/L, or if written by the COTA, co-signed by the OTR/L.

A2) There must be a reasonable likelihood that the occupational therapy and/or the occupational rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan meeting review by the interdisciplinary team.

B) This service must be reviewed at the time of

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the care plan meeting by the interdisciplinary team. The care plan review is required by 42 CFR 456.380 (1984) for intermediate care facilities and 42 CFR 456.280 (1984) for skilled nursing facilities. The interdisciplinary team is defined in 77 II Adm. Code 300.330.

(c) Type code: Intensity codes

(i) Level 1 - The occupational therapy shall be ordered by a physician. It shall be planned and designed specifically for the resident by a registered occupational therapist/ licensee (OTR/L). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a registered occupational therapist/ licensee (OTR/L). There must be a review of progress towards goals documented by the OTR/L every two weeks.

(ii) Level 2 - The occupational therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the OTR/L. The direct occupational therapy services shall be administered by a certified occupational therapist assistant/ licensee (COTA/L) under the supervision of the OTR/L. There shall be a review of the progress documented either by the OTR/L or the COTA/L every two weeks. The OTR/L must assign the COTA/L's documentation every three weeks.

(iii) Level 3 - The occupational rehabilitation program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the OTR/L. The occupational rehabilitation services shall be

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administered by a rehabilitation aide under the supervision of the OTR/L. There shall be a monthly review of the progress documented either by the OTR/L or if written by the COTA/L assigned by the OTR/L.

(iv) Level 4 - Resident has been evaluated, assessed or reassessed by a registered occupational therapist/ licensee (OTR/L) and a specific restorative program developed to increase residents' functional level. This program is then carried out by the nursing department.

(3) Agency Note: Prior to a resident being given credit in level 3 (see Section 147.50(d)(10)(B)(iii)) for occupational therapy and related rehabilitative services, the following conditions must be met: the rehabilitation aide must be a certified nurse aide or have a related associate degree or two years of college in a related field or an approved 36-hour activity course and effective January 1, 1987, has received specified training as outlined and approved by the Department of Public Aid and a corresponding ADL Restorative program must be developed to increase the resident's functional level that is being carried out by the nursing department. OTR - a corresponding level 3 psycho/social/mental status intervention program has been developed to address the resident's psycho/social needs that is carried out by the appropriate staff. The resident's response to the intervention must be recorded in the clinical record.

A) A corresponding ADL restorative program must be developed to increase the resident's functional ability and it must be carried out by the nursing department. The

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resident's response to the intervention must be recorded in the clinical record.

- B) The occupational rehabilitation aide must be a certified nurse aide, or have a related degree, or two years of college in a related field, or an approved 36 hour activity course and has received specified training as outlined and approved by the Department of Public Aid.

- C) For residents with a mentally ill diagnosis, if occupational rehabilitation is scored, a psychosocial and/or a corresponding ADL program must have been developed and scored.

12) Ostomy-Care

includes-gastrostomy-ileostomy-jejunostomy-and-urostomy.

Type-code:---Intensity-codes

- A) {level-1}-uncomplicated-care-of-ostomy- (Gastrostomy-is-included).---includes-routine care-and-maintenance-of-the-ostomy-ir-r-er cleansing-and-appliance-changer.

- B) {level-2}-Complex-ostomy.---Includes-post/op ostomies-care-of-percutaneous-endoscopic gastrostomy-(PEG)-tubes-or-an-ostomy-that- given-the-patient's-overall-condition- requires-licensed-care----includes-all ostomies-that-have-become-excoriated-or require-a-prescription-medication application.

13) Physical Therapy-and-Related-Rehabilitative Servicesk) Category 11 - Physical Rehabilitation Services1) Type code: Intensity Code

The physical rehabilitation program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the Registered Physical Therapist (RPT). The physical rehabilitation services shall be administered by a Physical Therapy Assistant (PTA) or a rehabilitation aide under the supervision of the RPT. There shall be a monthly review of the progress documented by the RPT or if written by the PTA, co-signed by the RPT.

- A2) There must be a reasonable likelihood that the physical-therapy-and/or-the-physiat rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan meeting review by the interdisciplinary team.

- 3) Agency Note: Prior to a resident being given credit in physical rehabilitation services, the following must be met:

- A) A corresponding ADL restorative program must be developed to increase the resident's functional ability and it must be carried out by the nursing department. The resident's response to the intervention must be recorded in the clinical record.

- B) The physical rehabilitation aide must be a certified nurse aide, or have completed at least one year of nurses training and have received specified training as outlined and approved by the Illinois Department of Public Aid.

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c) For residents with a mentally ill diagnosis, if physical rehabilitation is scored, a psychosocial and/or a corresponding ADL program must have been developed and scored.

B) This service must be reviewed at the time of the care plan review by the interdisciplinary team. The care plan review is required by 42 CFR 456.380 (1984) for intermediate care facilities and 42 CFR 456.380 (1984) for skilled nursing facilities. The interdisciplinary team is defined in 77 Ill. Adm. Code 300.330.

e) Type code: Intensity codes

i) Level 1) The physical therapy shall be ordered by a physician. It shall be planned and designed specifically for the resident by a physical therapist (PT). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a physical therapist. There must be a review of progress towards goals documented by the PT every two weeks.

ii) Level 2) The physical therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the PT. The direct physical therapy services shall be administered by a physical therapist assistant (PTA) under the supervision of the PT. Where shall be a review of the progress documented either by the PT or the PTA every two weeks. The PT must assign the PTA's documentation every three weeks.

iii) Level 3) The physical rehabilitation program shall be ordered by a

physician. It shall be designed and planned specifically for the resident by the PT. The physical rehabilitation services shall be administered by a physical therapist assistant (PTA) or a rehabilitation aide under the supervision of the PT. There shall be a monthly review of the progress documented either by the PT or if written by the PTA assigned by the PT. Level 4) Resident has been evaluated, assessed or reassessed by a physical therapist and a specific restorative program developed to increase resident's functional level. This program is then carried out by the nursing department.

Agency Note: Prior to a resident being given credit in level 3 (see Section 147.50(a)(12)(b)(iii) for physical therapy and related rehabilitative services, the following conditions must be met: the rehabilitation aide must be a certified nurse aide or have completed at least one year of nurses training and effective January 1, 1987, has received specified training as outlined and approved by the Illinois Department of Public Aid, and a corresponding ADL Restorative Program must be developed to increase the resident's functional level that is being carried out by the nursing department. Or a corresponding level 3 psycho-social/mental status intervention program has been developed to address resident's psycho-social needs that is carried out by the appropriate staff. The resident's response to the intervention must be recorded in the clinical record.

1) Category 12 - Passive Range of Motion (PROM)

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Type code: Frequency Code

Resident requires and receives PROM exercises to at least one extremity at least two times per day.

m) Category 13 - Ostomy CareType code: Intensity codes

Includes gastrostomy, ileostomy, jejunostomy and colostomy.

- 1) Uncomplicated care of ostomy (gastrostomy included). Includes routine care and maintenance of the ostomy, i.e., cleansing and appliance change.

- 2) Complex ostomy, Includes post/op operative, ostomies, care of Percutaneous Endoscopic Gastrostomy (PEG) tubes, or an ostomy that, given the patient's overall condition, requires licensed care. All ostomies that have become excoriated or require a prescription medication application are included.

14) Respiratory-Therapyn) Category 14 - Respiratory Therapy

- A) Respiratory-therapy-includes-oxygen positive-pressure-breathing-therapy, humidity-therapy, or aerosol-therapy---No credit-for-room-humidifier.

- B1) Type code: Intensity codes

1A) Level-1 Uncomplicated provision of these therapies. Resident is capable of administering his/her own respiratory therapy (oxygen and humidity) with minimum assistance from licensed personnel and routine monitoring by staff.

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1B) Level-2 Complex due to the nature of the resident's condition, type procedure or multiplicity of procedures required. Positive pressure breathing therapy, aerosol therapy, etc. and complicated problems with oxygen-humidity is required by resident. and resident Resident is totally dependent upon administration by licensed staff.

- 2) Respiratory therapy includes oxygen, positive pressure breathing therapy, humidity therapy, or aerosol therapy. Room humidifiers are not included.

15) Suctioningo) Category 15 - Suctioning

- A) Includes postural drainage, percussion, and vibration.

- B1) Type code: Frequency codes

1A) Level-1 Less-than-daily-but-at least twice weekly.

1B) Level-2 Once or more daily.

- 2) Includes postural drainage, percussion, and vibration.

16) Tracheostomy-Carep) Category 16 - Tracheostomy Care

- A) Includes care-of-tracheostomy-site.

- B1) Type code: Intensity codes.

1A) Level-1 Requires routine cleansing of tracheostomy site and non-sterile dressing change. Tracheostomy care managed by the staff.

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- ii) (level-2) Requires and receives complex care to tracheostomy site more than one time daily which includes the changing of sterile or complex dressings, suctioning or changing of the tracheostomy tube, and/or monitoring of unstable respiratory status.

2) Includes care of tracheostomy site.

17) Discharge Planning

g) Category 17 - Discharge Planning

A) Type code: Intensity codes

- B) (level-1) A specific discharge plan has been developed by an interdisciplinary team that is interdisciplinary and reflected in the resident care plan. Includes only residents with discharge anticipated within the next three (3) months in less than 60 days to a less restrictive environment. This plan shall include family and other state agency programs where appropriate (e.g. Department on Aging and Department of Rehabilitation Services). Discharge of the resident need not be accomplished provided the plan has been implemented and the services were in within the past two four months.

18) Passive Range of Motion (PROM)

- A) Prior to a resident being given credit for PROM exercises, the following must be met:

- i) Intervention must be reflected in resident's care plan.
- ii) Staff carries out the intervention as indicated by the plan and records such in clinical records.
- iii) Resident response to the intervention is recorded in the clinical record.

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B) Type code: Intensity codes

- i) (level-1) Resident requires and receives PROM exercises to one or two extremities at least two times per day.
- ii) (level-2) Resident requires and receives PROM exercises to three or four extremities at least two times per day.

19) Health and Fitness Programs

r) Category 18 - Exercise, Health and Fitness Programs

Type code: Intensity Codes.

- A) (level-1) A health and fitness program has been specifically planned for the resident by a licensed nurse. The resident's specific fitness program is written on the resident's fitness card. Following the resident's attendance, participation in the specific routines must be recorded on the resident's fitness card. The program is carried out at least three times per week. Facility staff shall provide general observation of the resident's participation in the program. The resident's response to the program must be documented in the clinical record by the licensed nurse at least one time per month. Fitness routines may vary based on the resident's physical condition, fitness preferences and plan of care. Programs may be self-monitored. In this level of service are low-stressed and may be self-administered. Programs may consist of, but are not limited to: the following: walking/fitness trails, flexibility exercises, endurance maintenance, and wheel chair pushups, swimming, biking, basketball, baseball, and/or volleyball.

- B) (level-2) A health and fitness program has been specifically planned for the resident

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Service Needs (Cont'd)

by an occupational therapist or physical therapist and approved by the resident's attending physician. A physician may also develop a fitness program in consultation with the resident's attending physician. The resident's specific program is written on the resident's fitness card. Following the resident's attendance participation in the specific routines must be recorded on the fitness card. The program is carried out at least three times per week. The resident's response to the program must be documented in the clinical record every two weeks by the staff who monitor the program alternating with the occupational therapist physical therapist or physician. Exercise routines may vary based on resident's assessment, physical condition and physician's orders. The professional developing the program should document on the fitness card parameters to be measured such as target pulse rate, respiratory rate, manual muscle testing scores and other parameters. Programs in this level of service include those requiring physical exertion, neuromuscular coordination and/or are aerobic in nature. Programs may consist of but are not limited to the following: use of exercise equipment such as stationary bikes, rowing equipment, pulley-free weights, etc.; swimming, jogging and other exercise routines designed to increase the heart rate and oxygen consumption. Depending on the nature of the program parameters such as resting pulse and post-exercise heart rate should be monitored pre and post exercise routine.

6+

Level 3) A health and fitness program has been specifically planned for the resident with a psychiatric disorder by the licensed nurse, qualified mental health professional, activity director or recreational therapist. The resident's specific program is written on the resident's fitness card.

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Following the resident's attendance participation in the specific routines must be recorded on the fitness card. The program is carried out at least three times per week. The resident's response to the program must be documented in the clinical record at least one time per month by the staff who monitor the program. If the person documenting the program is aide level staff, then the documentation must be co-signed by a licensed nurse, qualified mental health professional, activity director or recreational therapist. Routines may vary based on resident's physical condition, fitness, preference and overall plan of care. Programs may consist of but are not limited to the following: swimming, biking, basketball, baseball, volleyball or soccer.

s) Category - Therapy Services

1) Speech-Language Pathology and Audiology (SLP/A) Rehabilitative Services

A) General Criteria

There must be a reasonable likelihood that the treatment will improve the resident's functional means of communication. While there is no specific time limit on the duration of these services, improvement of the resident's condition must be evident in the therapist's documentation.

B) Specific Criteria

Resident requires and facility provides a Speech-Language Pathology and Audiology (SLP/A) Rehabilitative Program as ordered by a physician, planned and designed specifically for the resident by a certified speech-language pathologist/audiologist or Clinical Fellow (CFY) and including measurable goals. This program is carried

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out on a regularly scheduled basis by a certified speech-language pathologist/audiologist or Clinical Fellow (CFY). Progress notes are to be recorded as to the improvement of the resident's condition. This service must be reevaluated monthly by the certified speech-language pathologist/audiologist.

2) Physical Therapy and Related Rehabilitative Services

A) General Criteria

There must be a reasonable likelihood that the physical therapy and/or the physical rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan review by the interdisciplinary team. The care plan review is required by 42 CFR 456.380 (1984) for intermediate care facilities and 42 CFR 456.280 (1984) for skilled nursing facilities. The interdisciplinary team is defined in 77 Illinois Administrative Code, Section 300.330.

B) Specific Criteria

1) Physical Therapy I

Physical therapy shall be planned and designed specifically for the resident by a physical therapist (PT). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a physical therapist. There must be a

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review of progress toward goals documented by the PT monthly.

ii) Physical Therapy II

The physical therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the PT. The direct physical therapy services shall be administered by a physical therapist assistant (PTA) under the supervision of the PT. There shall be a review of the progress documented either by the PT, or the PTA after monthly. The PT must cosign the PTA's documentation after every monthly.

iii) Physical Therapy Assessment

Resident has been evaluated, assessed or reassessed by a physical therapist and a specific restorative program developed to increase resident's functional level. This program is then implemented by the nursing department. This is not scored if resident is also in any rehabilitation program.

3) Occupational Therapy and Related Rehabilitative Services

General Criteria

There must be a reasonable likelihood that the occupational therapy and and/or the occupational rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan

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review by the interdisciplinary team. The care plan review is required by 42 CFR 456.380 (1984) for intermediate care facilities and 42 CFR 456.280 (1984) for skilled nursing facilities. The interdisciplinary team is defined in 77 Illinois Administrative Code, Section 300.330.

B) Specific Criteriai) Occupational Therapy I

The occupational therapy shall be ordered by a physician. It shall be planned and designed specifically for the resident by a registered occupational therapist/licensed (OTR/L). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a registered occupational therapist/licensed (OTR/L). There must be a review of progress towards goals documented by the OTR/L every month.

ii) Occupational Therapy II

The occupational therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the OTR/L. The direct occupational therapy services shall be administered by a certified occupational therapy assistant/licensed (COTA/L) under the supervision of the OTR/L. There shall be a review of the progress documented either by the OTR/L or COTA/L monthly. The OTR/L must cosign the COTA/L's documentation after monthly.

iii) Occupational Therapy Assessment

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Service Needs (Cont'd)

Resident has been evaluated, assessed or reassessed by a registered occupational therapist/licensed (OTR/L) and a specific restorative program developed to increase resident's functional level. This program is then implemented by the nursing department. This is not scored if resident is also in any rehabilitation program.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

1) Heading of the Part:

Newborn Metabolic Screening and Treatment Code

2) Code Citation:

77 Ill. Adm. Code 661

3) Section Numbers:

661.10 Amendments
661.15 Amendments
661.20 Amendments
661.30 Amendments
661.35 Amendments
661.40 Amendments
661.50 Amendments

Proposed Action:

Amendments
Amendments
Amendments
Amendments
Amendments

4) Statutory Authority:

"An ACT concerning the disease phenylketonuria and other metabolic diseases."
Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4901 et seq.

5) A Complete Description of the Subjects and Issues Involved:

The existing Program screens all newborns in Illinois for biotinidase deficiency, congenital adrenal hyperplasia, galactosemia, congenital primary hypothyroidism and phenylketonuria. The Program also provides comprehensive follow-up services to all infants at risk and/or diagnosed with one of the above disorders. Current rules describe the responsibility; collection of blood and submission of specimens; interpretation of results; designation of consultants; reports; diagnosis and treatment; and fee for service necessary to fulfill the Department's obligation for fulfilling the newborn screening mandate.

First, the screening of newborn infants' blood for sickle cell disease/trait; and second, changing the timing of submission of specimens to the laboratory from 72 hours to 48 hours.

The addition of sickle cell disease/trait screening to the Rules will provide the Department assurance that all newborns are screened and allow monitoring for compliance in providing optimal preventive health care to infants at risk.

The second change will substantially lower the number of poor specimens which must be repeated and shorten the turn around time for reporting

critical results. This is especially important in screening for congenital adrenal hyperplasia and galactosemia when an affected baby can become critically ill in a very short time.

The proposed amendments will impact on every child bearing family as well as all hospitals and facilities providing maternal and child care services.

The Department anticipates that this proposed rulemaking will become effective approximately four months from the date of publication as proposed in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

7) Does this Rulemaking contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☐ No ☒

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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10) Statement of Statewide Policy Objectives:

Please specify: These changes will have only a slight impact upon local government or upon hospitals delivering babies. The primary effect will be in reducing the response time because no new samples are required. The Department requires the hospitals to pay the fee and this cost is usually transferred to the patient.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by

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writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

- A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

March 6, 1989

- B) Type of Small Businesses Affected:

Hospitals and facilities delivering babies and/or providing maternal and child health care.

- C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

There will be no changes in the reporting, bookkeeping or other procedures required except in the expansion of these to be in compliance with the Rule changes.

- D) Types of Professional Skills Necessary for Compliance:

Medical and laboratory skills as necessary.

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: MATERNAL AND CHILD HEALTH

PART 661

NEWBORN METABOLIC SCREENING AND TREATMENT CODE

Section	Responsibility
661.10	Definitions
661.15	Collection of Blood and Submission of Specimens
661.20	Interpretation of Results
661.30	Designation of Consultants
661.35	Reports
661.40	Diagnosis and Treatment
661.50	Fee Assessment and Payment
661.70	

AUTHORITY: Implementing and authorized by "AN ACT concerning the disease of phenylketonuria and other metabolic diseases, designating certain powers and duties in relation thereto, providing penalties for violation thereof, to repeal an Act therein named and to make an appropriation in connection therewith" (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 4901 et seq.).

SOURCE: Adopted December 14, 1973; emergency rules at 3 Ill. Reg. 28, p. 224, effective June 28, 1979; rules repealed and new rules adopted at 3 Ill. Reg. 48, p. 42, effective November 20, 1979; amended at 5 Ill. Reg. 4593, effective April 15, 1981; amended and codified at 8 Ill. Reg. 19041, effective September 26, 1984; amended at 11 Ill. Reg. 12921, effective August 1, 1987; amended at 13 Ill. Reg. _____, effective _____.

Section 661.10 Responsibility

- a) The physician in attendance at or immediately after the birth of the newborn infant shall have primary responsibility for seeing that a specimen of the infant's blood is screened in accordance with this Part. Newborn screening consists of testing for phenylketonuria (PKU), primary hypothyroidism, galactosemia, congenital adrenal hyperplasia, and biotinidase deficiency and sickle cell disease/trait. A single blood specimen meeting the requirements for testing for phenylketonuria (See Section 661.20) shall suffice for these tests. The physician may delegate this responsibility to the hospital administrator or to the administrator's designated representative, such as a member of the pediatric staff, the laboratory director, the obstetrical supervisor, or other hospital official. When a retest is determined to be necessary pursuant to Section 661.30 of this Part, the Illinois Department of Public Health shall notify the physician or his designee who is responsible for obtaining another

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specimen and having the specimen tested.

- b) If the infant is not born in or admitted to a hospital or when there is no physician in attendance at or immediately after the birth, the physician caring for the infant during the first month of life shall be the individual responsible for seeing that a blood specimen for newborn screening is submitted. When there is no physician caring for such an infant during this period, the parents or guardian are responsible. Local or state health authorities shall assist the parents or guardian in having a blood specimen submitted for testing.

- c) All specimens collected pursuant to this Part shall be submitted for testing to the Metabolic Diseases Section, Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.15 Definitions

"Act" means "AN ACT concerning the disease of phenylketonuria and other metabolic diseases, designating certain powers and duties in relation thereto, providing penalties for violation thereof, to repeal an Act therein named and to make an appropriation in connection therewith." (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 4901 et seq.).

"Advisory Committee" means the Genetic and Metabolic Diseases Advisory Committee appointed by the Director.

"Department" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"Newborn Screening" or "testing" means the testing of a blood sample for phenylketonuria (PKU), primary hypothyroidism, galactosemia, congenital adrenal hyperplasia, and biotinidase deficiency and sickle cell disease/trait.

"PKU" means phenylketonuria.

"Using known statistical techniques" means a standard is developed on each batch rather than using a constant known standard.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.20 Collection of Blood and Submission of Specimens

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Newborn Screening shall be performed on a single blood specimen which meets the following requirements of testing for phenylketonuria.

- a) Every infant regardless of age shall have a specimen collected prior to discharge from the hospital.
- b) Infants who leave the hospital before they are at least 48 hours of age shall have a blood specimen drawn for testing before discharge. A second blood specimen for testing shall be obtained on such infants before the third week of life by the attending physician or his designee as provided in Section 661.10(a).
- c) Specimens shall be collected no earlier than 48 hours after birth from those infants not discharged before 48 hours of age.
- d) Specimens from infants requiring parenteral feeding or from premature infants should be obtained after their condition has stabilized as determined by the attending physician. It is suggested that such infants be tested initially on or near the 7th day of life.
- e) For infants not born in hospitals or not admitted to a hospital during the neonatal period (under 28 days of age), a blood specimen shall be collected before the third week of life and no earlier than 48 hours after birth.
- f) The completed collection form (See Section 661.40) with a blood specimen shall be submitted for testing to the Metabolic Diseases Section, Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612.
- g) Blood specimens must be submitted to the laboratory no later than 7248 hours after collection and shall be examined by the laboratory within five days of receipt.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.30 Interpretation of Results

- a) Phenylketonuria

- 1) A phenylalanine level below 4 mg/dl (milligram/deciliter) is considered negative for PKU and no action is necessary.
- 2) When the blood level is 4 mg/dl or above, there is the possibility of phenylketonuria. The Illinois Department of Public Health shall notify the infant's physician or his designee immediately by telephone.

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- A) If the repeat test is below 4 mg/dl, the test will be considered negative and no action is necessary.
- B) If the repeat test is again 4 mg/dl or above, the case shall be referred to a designated consultant for a quantitative phenylalanine determination and other diagnostic studies as determined by the consultant.

b) Primary Hypothyroidism

- 1) Neonatal levels for thyroid stimulating hormone (TSH) vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal TSH levels shall be established using known statistical techniques.
- 2) When the TSH determination is deemed to be above normal, a second TSH, and also a thyroxin (T4), determination shall be performed on the same sample. If the second TSH determination is high, the physician or his designee shall be notified immediately by telephone by the Illinois Department of Public Health. The Department shall recommend referral of the infant to a designated pediatric endocrinologist for further evaluation for primary hypothyroidism and additional serum testing for thyroid function when high levels are found.

c) Galactosemia

- 1) Laboratory tests for galactosemia are designed to detect a deficiency of the galactose 1 phosphate uridyl transferase enzyme. Normal test results indicate the presence of the enzyme. Test results are abnormal when the presence of the enzyme is not indicated.
- 2) When the first determination of the enzyme is deemed abnormal, a second determination shall be performed on the same sample. If the second determination is abnormal, the physician or his designee shall be notified immediately by telephone by the Department and recommendations shall be given to change the diet of the infant to a lactose free diet. A second specimen shall be resubmitted on filter paper.
- 3) If the submitted specimen is again abnormal, the case shall be referred to a designated consultant for a quantitative determination of the enzyme and further diagnostic studies.

d) Congenital Adrenal Hyperplasia (secondary to 21-hydroxylase

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deficiency)

- 1) Neonatal levels for 17-hydroxyprogesterone vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal 17-hydroxyprogesterone levels shall be established using known statistical techniques.
- 2) When the 17-hydroxyprogesterone determination is deemed to be above normal, a second 17-hydroxyprogesterone, determination shall be performed on the same sample. If the second 17-hydroxyprogesterone determination is high, the physician or his designee shall be notified immediately by telephone by the Illinois Department of Public Health. The Department shall recommend referral of the infant to a designated pediatric endocrinologist for further evaluation for congenital adrenal hyperplasia and additional serum testing when high levels are found.

e) Biotinidase Deficiency

- 1) Laboratory tests for biotinidase deficiency are designed to detect a deficiency of the biotinidase enzyme. Normal test results indicate the presence of the enzyme. Test results are abnormal when the presence of the enzyme is not indicated.
- 2) When the first determination of the enzyme is deemed abnormal, a second determination shall be performed on the same sample. If the second determination is abnormal, the physician or his designee shall be notified immediately by telephone. A second specimen shall be resubmitted on filter paper.
- 3) If the resubmitted specimen is again abnormal, the case shall be referred to a designated consultant for a quantitative determination of the enzyme and further diagnostic studies.

f) Sickle Cell Disease/Trait

- 1) A test will be used to determine the presence of the hemoglobins A, F, S, C and other hemoglobins.
- A) When F and S hemoglobins are detected on the same specimen the Department shall recommend referral to a designated clinician for follow-up and counseling.

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- B) When F, S and C hemoglobins are detected on the same specimen the Department shall recommend referral to a designated clinician for follow-up and counseling.
- C) When F, A and C hemoglobins or F, A and S hemoglobins are detected on the same specimen the Department shall recommend counseling by the physician or another qualified counselor.
- D) When adult A hemoglobin is detected as the major component and the specimen was collected at less than 2 weeks of age it will be assumed that the infant received a blood transfusion and a report indicating such will be made. A specimen should be drawn from all such infants after 3 months.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.35 Designation of Consultants

- a) The Chief of the Division of Family Health with the advice of the Director of the Division of Services for Crippled Children University of Illinois, and the Advisory Committee, shall designate and distribute lists of qualified professionals to serve as Consultants to specified subprograms within the Genetic Diseases Program.
- b) Equivalency in all qualifications specified in this section shall be determined by the Chief of the Division of Family Health with the advice of the Director of the Division of Services for Crippled Children University of Illinois, and the Advisory Committee.
- c) The minimum qualifications required for designation as a consultant are a license to practice medicine in all its branches in Illinois, certification by the American Board of Pediatrics or equivalent board from another country and employment within a medical school setting. In addition, to be designated to serve specified subprograms, Consultants shall also have the following qualifications:

- 1) Phenylketonuria (PKU): shall have at least three years experience in diagnosis and treatment of cases with PKU and inborn errors of metabolism, and shall have available on a daily basis, a support staff of nutritionists and social workers who are experienced in and assigned to the treatment of these children with phenylalanine restricted diets.

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- 2) Primary Hypothyroidism: shall have training in pediatric endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics or an equivalent board from another country.
- 3) Galactosemia: shall have at least three years of experience in diagnosis and treatment of children with galactosemia and inborn errors of metabolism.
- 4) Congenital Adrenal Hyperplasia: shall have training in Pediatric Endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics or an equivalent board from another country.
- 5) Biotinidase Deficiency: shall have at least three years of experience in the diagnosis and treatment of children with biotinidase deficiency and inborn errors of metabolism.
- 6) Sickle Cell Disease: shall have training in pediatric hematology.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.40 Reports

- a) Only collection forms with attached filter paper blood collectors supplied by the Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612 are to be used in submitting blood specimens for newborn screening.
- b) Any hospital performing the required newborn screening tests in addition to submitting specimens to the Illinois Department of Public Health Laboratory shall comply with all requirements of this Part, and shall notify the Illinois Department of Public Health immediately by telephone whenever:
- 1) the initial and repeat phenylalanine levels are 4mg/dl or above;
 - 2) the initial and repeat T4 determinations are low or TSH determinations are high;
 - 3) the initial and repeat galactose 1 phosphate uridylyl transferase determinations are abnormal;

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- 4) the initial and repeat 17-hydroxyprogesterone determinations are high;
- 5) the initial and repeat biotinidase enzyme determinations are abnormal;
- 6) the presence of A, F, S and C hemoglobins are detected.

- f) Sickle Cell Disease/Trait

Antibiotic prophylaxis is required after a definitive diagnosis has been made of sickle cell disease by a designated consultant. For families of infants with sickle cell trait every effort shall be made to assure that genetic and supportive counseling is available.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 661.50 Diagnosis and Treatment

The Department shall maintain a registry to record the results of diagnosis and treatment for those cases in which abnormal findings were noted on the screening tests.

a) Phenylketonuria

Dietary therapy shall not be instituted until a quantitative serum phenylalanine determination to corroborate the positive screening test has been performed under the direction of a designated consultant to establish the diagnosis of phenylketonuria. The necessary medically prescribed treatment product shall be supplied by the Department for diagnosed cases as long as medically indicated. Long term follow up of phenylketonuria children is necessary to adjust diet and to assess growth and development.

- b) Primary Hypothyroidism Replacement therapy with thyroid hormone is required. Long term follow up of primary hypothyroid children is necessary in order to adjust medication and to assess growth and development.

- c) Galactosemia Therapy with a lactose free diet is required. Long Term follow up of children with galactosemia is necessary in order to ensure proper growth and development.

d) Congenital Adrenal Hyperplasia

Replacement therapy with corticosteroids is required. Long-term follow-up of congenital adrenal hyperplasia children is necessary in order to adjust medications and to assess growth and development. Other medications may be necessary.

e) Biotinidase Deficiency

Therapy with biotin is required. Long-term follow-up of children with biotinidase deficiency is necessary in order to ensure proper growth and development.

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Nancy Easum
Deputy General Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers:
1030.11
Appendix B
Proposed Action
New Section
New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)) and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100 et seq.)

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the Proposed Rule begins on the next page:

- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking sets forth the procedure for obtaining a driver's license.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.
- 9) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.
- 10) Are there any other amendments pending on this part? Yes.

Section Number	Proposed Section	Illinois Register Citation
1030.70	Amendment	12 Ill. Reg. 20768 (December 16, 1988)
1030.85	Amendment	13 Ill. Reg. 2395 (February 24, 1989)
1030.86	New Section	12 Ill. Reg. 17275 (October 28, 1988)
1030.88	Amendment	13 Ill. Reg. 2753 (March 3, 1989)

- 11) Time, place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1030
ISSUANCE OF LICENSES

- Section 1030.10 What Persons Shall Not be Licensed or Granted Permits
 1030.11 Procedure for Obtaining a Driver's License
 1030.20 Classification of Drivers - Reference
 1030.30 Classification Standards
 1030.40 Fifth Wheel Equipped Trucks
 1030.50 Bus Driver's Authority, Religious Organization
 1030.55 Commuter Van Driver Operating a For-Profit
 Ridesharing Arrangement
 1030.60 Employer Certification Program
 1030.63 Religious Exemption for Social Security Numbers
 1030.65 Instruction Permits
 1030.70 Driver's License Testing/Vision Screening
 1030.75 Driver's License Testing/Vision Screening with Vision Aid
 Arrangements Other than Standard Eye Glasses or Contact Lens(es)
 1030.80 Driver's License Testing/Written Test
 1030.84 Vehicle Inspection
 1030.85 Driver's License Testing/Road Test
 1030.88 Exemption of Facility Administered Road Test
 1030.89 Temporary Licenses
 1030.90 Requirement for Photograph and Signature of Licensee
 on Driver's License
 1030.92 Restrictions
 1030.93 Restricted Local Licenses
 1030.94 Duplicate or Corrected Driver's License or Instruction Permit
 1030.95 Diplomatic and Consular Licenses
 1030.100 Anatomical Gift Donor
 1030.110 Emergency Medical Information Card
 1030.115 Change-of-Address
 1030.120 Issuance of a Probationary License
 1030.130 Grounds for Cancellation of a Probationary License
 Appendix A: Questions Asked of a Driver's License Applicant
 Appendix B: Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill.

Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. 19777, effective November 15, 1988; amended at 13 Ill. Reg. _____, effective _____.

Section 1030.11 Procedure for Obtaining a Driver's License

a) Any person who wishes to obtain a driver's license shall go to one of the Secretary of State Driver Services Facilities located throughout the state. An application form provided by the Secretary of State pursuant to Section 6-106 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-106) shall be completed by the applicant. The questions contained on the application form are provided in Appendix A of this Part. The applicant shall also provide a Driver Services Facility employee with three (3) forms of identification establishing the applicant's name, date of birth, signature for comparison, Illinois residency, and Social Security Number. Acceptable forms of identification are provided in Appendix B of this Part.

b) The applicant shall take the following tests as required in Section 6-109 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-109):

- 1) A vision test as provided in Sections 1030.70 and 1030.75 of this Part;
 - 2) A road test, if required, as provided in Section 1030.85 of this Part (exemptions to the road test requirement are provided in Section 1030.88 of this Part); and,
 - 3) A written test, if required, as provided in Section 1030.80.
- c) Finally, the applicant shall have his/her photograph taken unless exempted as provided in Section 1030.90 of this Part. A driver's license shall be issued upon completion of all the requirements of this Section and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100 et seq.).

(Source: Added at 13 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

Appendix B: Acceptable Identification Documents

Documents of identification which are acceptable for the purpose of obtaining a driver's license, permit and/or identification card may include but are not limited to the following:

- 1) Adoption Records (Official)
- 2) Bank Statement (within 90 days)
- 3) Baptismal Record
- 4) Birth Certificate (Certified Copy)
- 5) Cancelled check (within 90 days)
- 6) CDTP Certification Form
- 7) Checking account
- 8) City Directory Verification
- 9) Court Order for Name Change
- 10) Court Order for Change of Date of Birth
- 11) Credit Card (only 1 - must be valid and signed)
- 12) Divorce Decree
- 13) Driver Education Certificate (Blue Slip)
- 14) Employment I.D.
- 15) Government Driver's License (Valid)
- 16) Government Employment Photo I.D. (Valid)
- 17) Grade School Transcript
- 18) High School Transcript
- 19) High School Yearbook (with photo)
- 20) Illinois Driver's License Receipt (valid with signature)
- 21) Illinois Driver's License/I.D. Renewal Notice
- 22) Illinois Driver's License/I.D. with photo (expired less than (1) year)
- 23) Illinois Instruction Permit (valid signature)
- 24) Income Tax Refund Check
- 25) INS Forms I-151, 551, 688, or 688A (proof of date of birth only)
- 26) INS Form I-94 (proof of date of birth only)
- 27) Insurance Policy (active)
- 28) Lease Agreement (current)
- 29) Marriage License
- 30) Medicare Cards (with A, J, HA, M, or T suffixes only)
- 31) Military Driver's License (US) (valid - must be on active duty or within 45 days thereof)
- 32) Military Driver's License (US) (valid - Reserve or National Guard)
- 33) Military I.D. Card (valid US)
- 34) Military I.D. Card (valid - US Reserve or National Guard)
- 35) Military Service Record (US) (Certified Copy or Original DD-214 or Equivalent)
- 36) Mortgage or Personal Loan Documents (not application)

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- 37) Naturalization Certificate (official court document or certificate)
- 38) Out-of-State Driver's License or I.D. (valid or less than (1) year expired)
- 39) Passport (valid U.S. or Foreign)
- 40) Payroll check stub (within 30 days)
- 41) Personal Identification:
 - by parent or legal guardian (must provide acceptable I.D.)
 - by high school driver education instructor (must provide acceptable I.D. - Illinois Driver's License)
 - by facility personnel (employee signature entered in the I.D. area)
- 42) Police Report of lost or stolen driver's license or I.D.
- 43) Vehicle Registration (current)
- 44) Rent Receipt (within 60 days)
- 45) Savings Account Passbook
- 46) School I.D.
- 47) Selective Service Card
- 48) Social Security Administration Award Letter "Numident" Printout
- 49) Social Security Card
- 50) Tax Return Forms (with W-2 Form)
- 51) Vehicle Title
- 52) Union Card (current)
- 53) Utility Bill (within 60 days)
- 54) Voter's Certificate of Registration Card

Note: Driver Services facility personnel will make the final decision on whether identification is acceptable. Additional documents, not listed here, may be acceptable upon review by facility personnel. Facility personnel also have the right to require additional proof of identity. Applicants should be aware they must have adequate identification to establish the following: name, date of birth, signature for comparison, Illinois residency and Social Security Number.

(Source: Added at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Animal Diagnostic Laboratory Act

2) Code Citation: 8 Ill. Adm. Code 110

Section numbers:	Adopted Action:
110.50	Amended
110.80	Amended
110.90	Amended
110.110	Amended
110.120	Amended

4) Statutory Authority: AN ACT authorizing the Department of Agriculture to establish animal disease laboratories" (Ill. Rev. Stat. 1987, ch. 8, par. 105.11).

5) Effective Date of Amendments: April 15, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 15, 1989

9) Notices of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19153
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

Section 110.50(b), 9th line, changed "fee does" to "fees do".

Section 110.90(b)(17), changed "FeLV" to "FeLT".

Section 110.110(c)(2), changed "Cadmium," to "Gadmitum".

Section 110.110(h)(11), changed "ionophore" to "ionophore".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

DEPARTMENT OF AGRICULTURE

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15) Summary and Purpose of Amendments:

Increases in some laboratory fees are proposed. Many of these fees have not been increased since they became effective July 1, 1984. The budget for operating the laboratories is only partially related to the work load experienced by the laboratories. A major portion of the work load comes from practicing veterinarians and is dependent upon their decision and that of the animal owner. This increased work load without any increase in budget has resulted in a budget problem that may prevent conducting of the requested tests and examinations presented to the laboratories. Without any other method of controlling accessions, fees are being increased in an effort to somewhat discourage the submission of samples. Also, many of the increases will reflect fee charges that are more compatible to those of surrounding states and private industry.

Additional language has been added to clarify what areas the necropsy tests cover. Where only a necropsy is requested without any tests, the fee will remain at \$15.

Serologic tests on paired, acute and convalescent specimens are considered one accession and are presently billed as such. The added language clarifies that policy.

New laboratory services which the Department can now conduct and the fees which will be charged for such services are being added. The new services include the Wisconsin mastitis test, the FeLV-FelT test, Porcine fetal fluid IgG test, Feline lentivirus test, herbicide screen, Cyclophazonic acid test, drug screen, sufla residue, water quality screen, and cremation.

Our laboratory personnel advise us that the Microtiter test is a more accurate name for the Leptospirosis test, and six serotypes are run under that test.

We are removing the language that permitted the rabies test to be conducted without charge when there was human exposure. The Department does not charge for State mandated tests; however, rabies is not a State mandated regulatory test. Often we do not receive information to indicate human exposure until billing time when we are told that they should not have been billed. A fee on all rabies tests will simplify the situation. Section 110.50(d) already requires doubling of the fee for out-of-state animals so the "rabies out-of-state testing..\$10" is unnecessary language and is being removed.

The test for Feline Leukemia is also conducted at the Galesburg laboratory. This oversight is being corrected.

Toxoplasmosis can be conducted on species other than canine and feline so we are removing the words "canine and feline".

In testing for metals, a test for mercury, molybdenum and cadmium will be offered as a separate test. The screen for 26 metals using inductively

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coupled plasma emission spectrometry is no longer available through the Department's laboratories. Originally, this test was made available in accordance with a cooperative arrangement with a university laboratory.

Clarifying language is proposed for the individual mycotoxin test.

The aflatoxin by minicolumn test has been replaced by a more sensitive thin-layer chromatography test.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 110
ANIMAL DIAGNOSTIC LABORATORY ACT

Section	Definitions
110.10	Submitting Specimens
110.20	Payment For Laboratory Services
110.30	Tests Not Covered By Fee Schedule
110.40	Minimum Fees
110.50	Euthanasia Fees
110.60	Clinical Pathology Fees
110.70	Histopathology Fees
110.80	Microbiology Fees
110.90	Parasitology Fees
110.100	Toxicology Fees
110.110	Miscellaneous Fees
110.120	Meats Chemistry Fees
110.130	

AUTHORITY: Implementing and authorized by "AN ACT authorizing the Department of Agriculture to establish animal disease laboratories" (Ill. Rev. Stat. 1987 1985, ch. 8., par. 105.11).

SOURCE: Adopted and codified at 8 Ill. Reg. 9047, effective July 1, 1984; amended at 9 Ill. Reg. 4471, effective March 22, 1985; amended at 9 Ill. Reg. 19638, effective January 1, 1986; amended at 10 Ill. 9733, effective May 21, 1986; amended at 11 Ill. Reg. 10163, effective May 15, 1987; amended at 12 Ill. Reg. 3379, effective January 25, 1988; amended at 13 Ill. Reg. 3617, effective April 15, 1989.

Section 110.50 Minimum Fees

- A minimum accession fee of \$5 per accession shall be charged on all accessions originating from Illinois animals, with the exception of samples for trichinosis testing for which the minimum accession fee is \$1. If such fees for the individual tests exceed the minimum fee, no minimum fee shall be charged. Persons submitting specimens for which there are no charges for the laboratory procedure shall be exempt from the minimum fee.

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- b) The necropsy fee is \$35 +\$5 per accession for all species and, cadavers or multiple tissues submitted where more than one test is needed. If multiple tissue specimens are submitted where more than one test is needed, the fee is \$30 per accession. In cases where only a necropsy is performed without any tests, the fee is \$15. The necropsy fee will include a test ~~tests~~ in pathology, microbiology, parasitology and toxicology as indicated by the necropsy. The necropsy fees do not include electron microscopy examination, toxicologic screens, water and feed analysis, serology or herd surveys.
- c) Electron microscopy and toxicologic tests (other than a screen for metals and pesticides) shall be performed only after consultation with and with approval from the person who requested the laboratory services at the fees set forth in this Part.
- d) All fees, including the minimum accession and necropsy fee, shall be doubled on all out-of-state animals, unless a specific charge is noted.

- e) Serologic tests on paired, acute and convalescent specimens will be billed as one accession at the fee set forth in this Part.

(Source: Amended at 13 Ill. Reg. 3617, effective April 15, 1989)

Section 110.80 Histopathology Fees

- a) The following are the fees for histopathology:

- 1) Biopsy..... 12.50 C, G
- 2) Multiple Tissues..... 25.00 +\$5.00 C, G

- b) In the event some specialty testing situation is requested by the person requesting the laboratory services, other fixatives are available. Please consult the respective diagnostic laboratory for the specific fee.

(Source: Amended at 13 Ill. Reg. 3617, effective April 15, 1989)

Section 110.90 Microbiology Fees

The following are the fees for microbiology:

- a) Bacteriology, Mycoplasma and Fungi
- 1) Aerobic or anaerobic culture without sensitivity testing..... 10.00 6.40 C, G
 - 2) Aerobic culture with sensitivity testing..... 15.00 10.40 C, G
 - 3) Anaerobic culture (includes sensitivity test)..... 15.00 C, G
 - 4) Milk samples for mastitis evaluation (1-4 specimens..... 15.00 10.40 C, G (additional specimens, each at)..... 2.00 1.50 C, G Wisconsin mastitis test 1-10 specimens, each..... 2.00 C (additional specimens, each at)..... 1.00 C
 - 5) Leptospirosis - 65 serotypes Microtiter test Microscopic agglutination - per specimen 2.00 C, G Canine brucellosis - per specimen..... 5.00 C, G, S
 - 6) Fluorescent Antibody Test (FA)..... 10.00 5.40 C, G
 - 7) Escherichia coli serotyping..... 3.00 C
 - 8) Campylobacter (culture)..... 4.00 C, G
 - 9) Salmonella Serotyping..... 1.00 C, G
 - 10) Salmonella isolation using enrichment media..... 6.00 C, G
 - 11) Hemophilus (culture)..... 3.00 C, G
 - 12) Nasal Swabs--Bordetella..... 2.00 C, G
 - 13) Listeria (culture)..... 4.00 C, G
 - 14) Haemophilus equigenitalis (CEM)..... 4.00 C, G
 - 15) Spirochetes (swine dysentery--Treponema sp.)..... 3.00 C, G
 - 16) John's Bacillus (first specimen)..... 5.00 C, G (each additional specimen)..... 2.00 C, G
 - 17) Prepare and Supply Transport Media (per tube)..... 1.00 C, G
 - 18) Return culture for bacterin production per organism..... 2.00 C, G
 - 19) Mycology Testing..... 6.00 C, G
 - 20) Microscopic examination..... 3.00 C
 - 21) Mycoplasma Testing..... 6.00 C, G
 - 22) Somatic Cell Count (1-10 specimens, each)..... 2.00 C (Each additional specimen)..... 1.00 C
 - 23) E. Coli or Metritis (1-4 specimens)..... 10.00 C, G (each additional specimen)..... 1.50 C, G

- b) Virology

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- 1) Electron Microscopy - fecal..... 10.00 G
- 2) Pseudorabies Serology (positive or negative)..... no charge C, G
- Pseudorabies Serology Out-of-State..... 3.00 C, G
- Pseudorabies Serology (positive or negative) and end titer..... 3.00 C, G
- Additional serology test to determine pseudorabies vaccine usage (1-10 specimens, each)..... 1.00 C, G
- (Each additional specimen)..... .50 C, G
- Pseudorabies Serology (request for screen at dilution of 1:2)..... 3.00 C, G
- 3) Fluorescent Antibody Test (each disease)..... 10.00 5.00 C, G
- 4) Rabies other-than-human exposure..... 5.00 C, G
- 5) Rabies out-of-state specimen..... 10.00 C, G
- 6) Virus Isolation in Cell Culture..... 15.00 C, G
- 7) Viral Serology (each disease) (1-5 specimens, each)..... 3.00 C, G
- (Each additional specimen)..... 1.00 C, G
- 8) Feline Leukemia..... 10.00 C, G
- 9) Feline Infectious Peritonitis (F.I.P.)... 5.00 C
- 10) Canine parvo-virus (ELISA) fecal..... 5.00 C, G
- 11) Canine parvo-virus serum..... 5.00 C
- 12) Canine distemper on serum..... 5.00 C
- 13) Rota-virus on fecal..... 10.00 C
- 14) Semen testing (export)..... 10.00 C
- 15) Swine enterovirus (8 serotypes)..... 12.00 C
- 16) FeLV-FeLT..... 15.00 C
- 17) Porcine fetal fluid IgG..... 3.00 G
- 18) Feline lentivirus (FeLT)..... 10.00 C
- c) Chlamydia Isolation in Cell Culture..... 15.00 C, G
- d) Miscellaneous serology
- 1) Toxoplasmosis (canine-and-feline)..... 5.00 C
- 2) Vibrio Agglutination Test (Campylobacter) 2.00 S
- 3) EIA-AGID..... 5.00 S
- 4) Mare Immunological Pregnancy Test (35-60 days post-service)..... 15.00 C
- 5) Aleutian Disease-Mink (immunoelectrophoresis)..... .20 S
- 6) Out-of-State brucellosis serology..... .50 C, G, S
- 7) Brucellosis testing other than bovine, porcine and canine..... .50 C, G, S

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- 8) Bluetongue (1-5 specimens, each)..... 3.00 C, S
- (Each additional specimen)..... 2.00 C, S
- 9) Bovine leukosis (1-5 specimens, each)..... 3.00 C, S
- (Each additional specimen)..... 1.00 C, S
- 10) Vesicular stomatitis..... 3.00 C
- 11) Complement Fixation Serology (1-5 specimens, each)..... 3.00 C
- (Each additional specimen)..... 1.00 C
- Note: The Complement Fixation Serology tests include testing for anaplasmosis, and chlamydia.

(Source: Amended at 13 Ill. Reg. 3617, effective April 15, 1989)

Section 110.110 Toxicology Fees

- a) A maximum charge of \$100 50 shall be assessed Illinois residents. There is no maximum charge for out-of-state residents.
- b) Toxicology Work-up:
- Maximum \$50 25 per animal or \$100 50 per herd (Illinois animals)
- c) Metals
- 1) Arsenic or Selenium 1-3 specimens, each..... 20.00 10.00 C
- each additional specimen..... 10.00 4.00 C
- 2) Lead, Manganese, Copper, Cadmium, Zinc, Thallium, Calcium, Sodium, Manganese, Potassium, Iron, Chromium, Cobalt, Nickel, or Manganese or Molybdenum 1-3 specimens, each..... 5.00 C
- each additional specimen..... 3.00 C
- 3) Cadmium, Molybdenum and Mercury 1-3 specimens, each..... 10.00 C
- (each additional specimen)..... 6.00 C
- 3) --A-screen-for-26-metals-(elements) is-available-using-inductively-coupled plasma-emission-spectrometry. Serum-or-plasma-specimens..... 25.00-G
- Specimens-requiring-digestion..... 40.00-G
- d) Insecticide Screen

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e)	Herbicides	
1)	Organochlorines, organophosphates	40.00 20-00 C
2)	Carbamates	30.00 15-00 C
3)	Individual insecticide	10.00 C
	Herbicides	
1)	Phenoxy compounds	40.00 20-00 C
2)	Individual analysis of any herbicide from screen	20.00 C
3)	Others-(as individuals)	10-00-6
	Herbicide screen (heterocyclic nitrogen derivatives, dinitroanilines, urea, carbamate and anilide compounds)	50.00 C
4)	Imidazole compounds	50.00 C
f)	Rodenticides	
1)	Anticoagulant screen	25.00 C
2)	Zinc Phosphide	10.00 C
3)	Strychnine and other alkaloids	10.00 C
4)	Yellow Phosphorus	5.00 C
5)	Individual anticoagulant	10.00 C
6)	Fluoroacetate (1080)	20.00 C
g)	Mycotoxins	
1)	Screen (aflatoxins, T-2, DAS, Vomitoxin, Zearalenone)	50.00 25-00 C
2)	Milk or urine aflatoxin	20.00 10-00 C
3)	Ochratoxin	30.00 20-00 C
4)	Citrinin	30.00 20-00 C
5)	Individual analysis of any mycotoxin from screen	20.00 10-00 C
6)	Aflatoxin by individual screen	30.00 C
7)	Cyclopiazonic acid (CPA)	30.00 C
8)	Blacklight for Aspergillus flavus	2.00 C
	Endophyte testing	
	Staining	12.50 C
	Grow-out	15.00 C
h)	Miscellaneous Analysis	

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1)	Feed microscopy	10.00 C
2)	Nitrate:	
	Ground Materials (first specimen)	8.00 C
	(each additional specimen)	4.00 C
	Forages (first specimen)	12.00 C
	(each additional specimen)	9.00 C
	On Vitreous humor	5.00 C
3)	Cyanide	10.00 C
	Cyanide (screen-picric acid)	5.00 C
4)	Ammonia (Urea Toxicosis)	
	first specimen	10.00 C
	(each additional specimen)	5.00 C
5)	Carboxyhemoglobin, Methemoglobin, Sulfahemoglobin	
	(first specimen)	15.00 C
	(each additional specimen)	5.00 C
6)	Sulfate	5.00 C
7)	Creosote, Petroleum Products	15.00 C
8)	pH	1.00 C
9)	Urea	10.00 C
10)	Total chlorides, feeds or water	5.00 C
11)	Momensin or other ionophorae (each)	25.00 10-00 C
12)	Water chlorine	5.00 C
13)	Water nitrate, nitrite (each)	5.00 C
14)	Water hydrogen sulfide	5.00 C
15)	Water hardness	5.00 C
16)	Pentachlorophenol (PCP or Penta)	15.00 C
17)	Bone--Percent Ash, Ca, Po4	12.00 C
18)	Ca, Po4 (in feed)	10.00 C
19)	Ergot alkaloids	15.00 C
20)	Antibiotics in feed (each)	15.00 C
21)	Vitamin Analysis (each)	10.00 C
22)	Feed Quality Analysis	30.00 15-00 C
23)	Protein and moisture analysis	7.50 C
24)	Gas chromatographic/mass spectrophotometric analysis (each sample)	50.00 25-00 C
25)	Cholinesterase:	
	Blood (first specimen)	7.50 C
	(Each additional specimen)	4.00 C
	Brain (first specimen)	12.50 C
	(Each additional specimen)	8.00 C
26)	Drug screen	25.00 C
27)	Sulfa residue (each sulfa drug)	5.00 C
28)	Water quality screen (CH, OP, Carbamates, Herbicides, Lead)	100.00 C

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(Source: Amended at 13 Ill. Reg. 3617, effective April 15, 1989)

Section 110.120 Miscellaneous Fees

- a) Swine health checks at slaughter facilities:
Reproductive and serology for sows (1-5 head)..... 25.00
each additional animal..... 4.00
Market swine health check
(12 head maximum).....50.00 40-00
(Contact the Galesburg laboratory for information)
- b) Water potability test (Coliform and Enterococcus--
Millipore Method and Nitrates)..... 8.00 C
- c) Return of shipping container.....
.....current postal rate C,G,S
- d) Field trip by Department laboratory
personnel to take specimens..... 50.00 C, G
- e) Cremation..... 50.00 G

(Source: Amended at 13 Ill. Reg. 3617, effective April 15, 1989)

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Animal Welfare Act
- 2) Code Citation: 8 Ill. Adm. Code 25
- 3) Section numbers: Adopted Action:
25.20 Amended
25.30 Amended
25.50 Amended
25.130 Amended
- 4) Statutory Authority: Animal Welfare Act (Ill. Rev. Stat. 1987, ch. 8, pars. 302.1, 318, and 319).

- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notices of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19164
(issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In the Main Source Note, added an entry for this rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

We are updating references to the Code of Federal Rules by citing the latest edition which is the 1988 edition. This change will eliminate the need to keep old CFR's on file in the agency and carried by our inspection personnel. Also, it is easier for the public to locate the rule in a library when the current version is cited. These amendments will not impose any additional requirements.

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 25
ANIMAL WELFARE ACT

Section	Definitions
25.10	Incorporations By Reference
25.15	Buildings and Premises
25.20	General Care of Animals
25.30	Dogs Brought into Illinois
25.40	Shipment of Mammals and Birds
25.50	Health of Animals at Time of Release
25.60	Department May Restrict The Sale of Animals
25.70	Quarantine
25.80	Records
25.90	Consent Statement and Inspection
25.100	Animals Prohibited from Sale
25.110	Boarding and Training
25.120	Pounds and Animal Shelters
25.130	

AUTHORITY: Implementing and authorized by the Animal Welfare Act (Ill. Rev. Stat. 1987, ch. 8, par. 301 et seq.) and the Illinois Diseased Animals Act (Ill. Rev. Stat. 1987, ch. 8, par. 168 et seq.).

SOURCE: Regulations Relating to the Animal Welfare Act, filed May 17, 1974, effective May 27, 1974; filed October 6, 1976, effective October 16, 1976; codified at 5 Ill. Reg. 10438; amended at 7 Ill. Reg. 1724, effective January 28, 1983; amended at 12 Ill. Reg. 8265, effective May 2, 1988; amended at 13 Ill. Reg. 3628, effective March 13, 1989.

Section 25.20 Buildings and Premises

- a) All buildings and premises shall be maintained in a sanitary condition and the licensee shall:
 - 1) Have equipment available for proper storage or disposal of waste material to control vermin and insects.
 - 2) Dispose of dead animals in compliance with "AN ACT in relation to the disposal of dead animals" (Ill. Rev. Stat. 1987, ch. 8, par. 149 et seq.) and rules

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We are updating reference to the Journal of the American Veterinary Medical Association for the convenience of the public in locating the document. It is easier to locate a more recent issue in a library. The proposed adoption of the 1986 journal does not change the current requirement that only equipment approved by the American Veterinary Medical Association be used for euthanasia; therefore, this change will not impose any additional requirements. The address of the American Veterinary Medical Association has been added to comply with requirements of the Illinois Administrative Procedure Act.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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enacted pursuant to that Law (8 Ill. Adm. Code 85). Compliance with this State Law shall not exempt licensee from compliance with local ordinances.

- 3) Take effective control measures to prevent infestation of animals and premises with external parasites and vermin.
- 4) Provide water from a source having sufficient pressure to properly sanitize and clean kennels, runs, equipment, and utensils.
- 5) Provide hand washing facilities.

b) All buildings shall be constructed so as to provide adequate shelter for the comfort of the animals and shall provide adequate facilities for separation of diseased animals to avoid exposure to healthy and salable animals.

c) Floors of buildings housing or displaying animals shall be of permanent construction to enable thorough cleaning and sanitizing. Dirt and unfinished wood floors are unacceptable. Cleaning shall be performed daily, or more often if necessary, to prevent any accumulation of debris, dirt or waste.

d) Cages shall be constructed of a material that is impervious to urine and water and able to withstand damage from gnawing and chewing.

1) The cages must be cleaned and sanitized at least once daily, or more often if necessary.

2) All empty cages shall be kept clean at all times.

3) Cages shall be of sufficient size to allow the animal to comfortably stand, sit, or lie, and offer freedom of movement.

4) An ambient temperature as defined in the rules for the Federal Animal Welfare Act (9 CFR 3.2; 1988 +1987) shall be maintained for warmblooded animals. In the case of coldblooded animals, the temperature that is compatible to the well-being of the species shall be maintained.

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e) Runs shall be constructed of material of sufficient strength and design to confine the animal(s).

- 1) They shall be kept in good repair and condition.
- 2) For new construction or remodeling, the licensee shall provide runs surfaced with concrete or other impervious material.

3) Surface of the run shall be designed to permit the surface to be cleaned and kept free from excessive accumulation of animal waste.

4) Provisions must be made for adequate drainage.

f) Cages or aquariums for housing of small animals, birds, or fish shall provide space not less than 2 1/2 times the body volume of living creatures contained therein.

g) If animals are group-housed, they shall be maintained in compatible groups without overcrowding. No female dog or cat in estrus shall be placed in a pen with male animals, except for breeding purposes.

(Source: Amended at 13 Ill. Reg. 3628, effective March 13, 1989)

Section 25.30 General Care of Animals

a) All persons or establishments licensed under this Act shall comply with all sections of the Humane Care for Animals Act (Ill. Rev. Stat. 1987, ch. 8, par. 701 et seq.).

b) Sufficient clean water and fresh food shall be offered to each animal daily as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.5-3.7; 1988 +1987). In the case of young animals, they shall be fed more than once daily. Reptiles, fish or amphibians shall be fed and cared for in accordance with the eating patterns and environmental conditions compatible with each individual species.

c) The licensee or his representative shall be present for general care and maintenance of the animals at least once daily.

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- d) Aquariums containing fish shall be kept in a clean healthful condition. Live algae shall not be considered an unhealthful condition. Any dead fish shall be removed from aquariums daily.
- e) Adult cats shall be provided with litter pans at all times. The pans shall be cleaned and sanitized at least once daily or more often if necessary.

(Source: Amended at 13 Ill. Reg. 3628, effective March 13, 1989.)

Section 25.50 Shipment of Mammals and Birds

- a) Animals shall be transported in crates constructed of a smooth, durable material which is easily cleaned and shall:

- 1) Have a solid floor which may have a false bottom above it.
- 2) Be so constructed as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.11 - 3.17; 1988 #987) as to provide maximum safety for the particular animal or animals being transported.
- 3) Have openings on 2 sides and the top to assure adequate ventilation.

- b) In all cases, the crates shall be large enough to provide space for the animals to lie down in an extended position and to allow ease of movement when standing or turning around as prescribed in the rules for the Federal Animal Welfare Act (9 CFR 3.11 - 3.17; 1988 #987). When the temperature is over 85° F., increased space shall be provided within reason.

- c) The crates shall be cleaned before use for each trip.

- d) Food and water containers shall be cleaned and sanitized before each trip.

- e) If bedding is used it shall be clean, dry, and relatively dust-free.

- f) Animals in transit for 4 or more hours shall be offered food 2 hours before loading and fresh water about 30 minutes before loading.

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- g) The person or persons responsible for the welfare of the animal or animals while in transit shall:

- 1) Offer the animals food at least once each 24 hours, except that newly weaned young shall be offered suitable food at 4-hour intervals.
 - 2) Offer all animals water at 12-hour intervals at least, except that water shall be offered at 4-hour intervals when the temperature reaches 90° F.
 - 3) Clean the crate or crates at least every 24 hours and, if bedding is used, shall provide clean bedding.
 - 4) Inspect each animal at 4-hour intervals, or oftener.
- h) No female obviously near parturition shall be transported.
- i) Trucks transporting animals shall provide protection from the sun in hot weather, and protection from cold weather. Adequate ventilation shall be provided in hot weather, and the trucks shall be draft-free in cold weather. Provisions shall be made for warming an area carrying weaned young if the temperature falls below 50° F., and for unweaned young if the temperature falls below 65° F.

(Source: Amended at 13 Ill. Reg. 3628, effective March 13, 1989.)

Section 25.130 Pounds and Animal Shelters

Persons licensed to operate Pounds and Animal Shelters shall comply with the following rules in addition to the other rules already prescribed.

- a) Licensee shall make a record of each animal received, including the date it was received, the source, and the eventual disposition.
- b) Approved equipment as described in the Journal of the American Veterinary Medical Association, 930 North Meacham Road, Schaumburg, Illinois 60196 (February 1, 1986) July 1, 1987, shall be used for euthanasia.

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- c) Licensee shall accept any animal for which the person wishing to dispose of the animal is willing to sign an affidavit of ownership giving his name, address, telephone number, reasons for wishing to dispose of the animal, and description of the animal, including distinguishing marks and pertinent medical information, if any.
- d) Any animal presented to a pound or shelter in an injured, diseased, or ill condition shall be examined by and, if feasible, treated by a licensed veterinarian. If the veterinarian deems that, for humane reasons, the animal should be euthanized, his recommendations for euthanasia shall be followed.
- e) Licensee operating a pound for a municipality or other political subdivision shall, in a conspicuous place at the establishment, post the hours the facility will be open with an attendant on duty to release estrayed pets back to their owner. Any expense incurred during the period of impoundment shall be paid by the owner prior to release of the impounded animal.

(Source: Amended at 13 Ill. Reg. 3628, effective March 13, 1989)

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NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Bovine Brucellosis
- 2) Code Citation: 8 Ill. Adm. Code 75
- 3) Section numbers: Adopted Action:
75.5 Amended
75.190 Amended
- 4) Statutory Authority: Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1987, ch. 8 pars. 139, 140, 142, and 143).
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notice(s) of Proposal Published in Illinois Register:
November 18, 1988, 12 Ill. Reg. 19172
(issue date)
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
Section 75.190(e)(2), added "(i.e., health certificate)" after "Inspection".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None Required.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

We are updating a reference to the Illinois Revised Statutes by citing the latest edition which is the 1987 edition. This change will eliminate the need to keep old Illinois Revised Statutes on file in the agency. Also, it is easier for the public to locate the rule in a library when the current version is cited. This amendment will not impose any additional requirements.

Calves under 2 months of age entering Illinois from states (Class C) that still have high incidents of bovine brucellosis are entering Illinois marketing channels once they become older. These animals pose a potential risk to Illinois herds. The amendment is intended to keep these animals from moving once they are in the State and to reduce the potential exposure of Illinois cattle to Brucellosis. An entry permit is required on all shipments of calves from Class C states that are under two months of age and are not accompanied by their dams. Such calves will be quarantined until shipped to slaughter or neutered. Calves that are neutered will not be able to enter the breeding channels once they become older. The quarantine will keep them from moving once they are in the State and reduce the chance of them entering feeding channels. The quarantine will be released once the animals are slaughtered or neutered. The calves must be accompanied by a Certificate of Veterinary Inspection and identified with an official eartag. The eartag numbers will be recorded on the Certificate. At present, there is only one Brucellosis Class C state.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER 1: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 75
BOVINE BRUCELLOSIS

Section	
75.5	Definitions
75.7	Incorporation by Reference
75.10	Official Classification of the Results of the Brucellosis Blood Test
75.15	Permits to Conduct Official Brucellosis Tests
75.20	Reports Required
75.30	Tests Conducted at State Expense or for Interstate or Export Shipment
75.40	Tests Conducted at Owner's Expense for Intrastate Movement
75.50	Indemnity
75.60	Identification of Cattle
75.70	Herds Revealing Reactors
75.80	Sale of Suspects and Negative Animals From Quarantined Herds
75.90	Release of Herds or Cattle Under Quarantine
75.100	Herds Revealing Suspects Only
75.110	Identification Tags
75.120	Requirements for Establishing and Maintaining Certified Brucellosis-Free Herds of Cattle
75.130	Feeding or Grazing Cattle
75.140	Sale of Quarantined Feeding or Grazing Cattle
75.150	Cattle for Immediate Slaughter
75.160	Female Cattle--Beef Breeds--18 Months and Over
75.170	Release of Feeding or Grazing Cattle from Quarantine
75.180	Dairy or Breeding Cattle
75.190	Additional Requirements on Cattle from States Designated as Class B and Class C States
75.200	Slaughter Cattle from Class B or Class C States
75.210	Official Calftlood Vaccination
75.220	Recognition of Brucellosis State Status
TABLE A	Brucellosis Standard Plate Test of Officially Vaccinated Cattle and Bison
TABLE B	Brucellosis Standard Plate Test of Non-Vaccinated Cattle and Bison

AUTHORITY: Implementing and authorized by the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1987 1985, ch. 8,

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par. 134 et seq. as amended by P.A.R. 85-0323, effective January 1, 1988).

SOURCE: Regulations Relating to Bovine Brucellosis, filed January 17, 1972, effective January 27, 1972; amended, filed May 3, 1972, effective May 13, 1972; filed Dec. 6, 1972, effective Dec. 16, 1972; filed June 20, 1973, effective June 20, 1973; filed Dec. 14, 1973, effective Dec. 24, 1973; filed Aug. 19, 1975, effective Aug. 29, 1975; filed Mar. 12, 1976, effective March 22, 1976; filed June 21, 1976, effective July 1, 1976; filed Dec. 29, 1976, effective Jan. 8, 1977; amended at 2 Ill. Reg. 24, p. 55, effective June 15, 1978; amended at 3 Ill. Reg. 34, p. 96, effective Aug. 24, 1979; amended at 5 Ill. Reg. 720, effective January 2, 1981; codified at 5 Ill. Reg. 10453; amended at 7 Ill. Reg. 1737, effective January 28, 1983; amended at 7 Ill. Reg. 1733, effective February 2, 1983; amended at 8 Ill. Reg. 5891, effective April 23, 1984; amended at 9 Ill. Reg. 4483, effective March 22, 1985; amended at 9 Ill. Reg. 19647, effective January 1, 1986; amended at 10 Ill. Reg. 9741, effective May 21, 1986; amended at 11 Ill. Reg. 10169, effective May 15, 1987; amended at 12 Ill. Reg. 3386, effective January 22, 1988; amended at 13 Ill. Reg. 3636, effective March 13, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 75.5 Definitions

The definitions for this Part shall be as stated in 8 Ill. Adm. Code 20.1. The following definition shall also apply:

"Act" means the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1987 #985, ch. 8, par. 134 et seq.) as amended by P.A.R. 85-0323, effective January 1, 1988).

"Registered animal" means an animal for which individual records of ancestry are recorded and maintained by a breed association whose purpose is the improvement of the bovine species, and for which individual registration certificates are issued and recorded by such breed association. The breed associations recognized by the Division are those recognized by the United States Department of Agriculture (9 CFR 51.1, 1988 #987).

(Source: Amended at 13 Ill. Reg. 3636, effective March 13, 1989)

Section 75.190 Additional Requirements on Cattle from States Designated as Class B and Class C States

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a) In addition to other entry requirements, a prior permit must be obtained for dairy, feeding or breeding cattle, except those consigned direct to slaughter or calves under 6 months of age except as further provided for in this Section, entering Illinois from states designated by the U.S. Department of Agriculture as Class B and Class C under provisions of the Brucellosis Eradication Uniform Methods and Rules as recommended and approved by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176) and by the U.S. Department of Agriculture (July 1, 1986). Such prior permits shall be obtained by contacting the Division of Animal Industries, Illinois Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, Illinois 62794-9281, telephone 217/782-4944. Information regarding the origin, destination and description of the cattle along with the number of animals in the shipment is necessary for obtaining a permit.

b) Breeding cattle 12 months of age or over from such states shall be placed under quarantine and in isolation until retested and negative to an official test for brucellosis conducted not less than 45 days nor more than 120 days after entering Illinois.

c) All female cattle born after July 1, 1985, if more than 4 months of age, except spayed heifers (female cattle may be spayed after entry into Illinois with prior approval from the Division which will be given upon receipt of the name of the veterinarian who will be performing the operation) or those consigned directly to slaughter, entering Illinois from Class B or Class C states must be official calfhood vaccinates and vaccination status shall be recorded on the official interstate health certificate. In lieu of calfhood vaccination, cattle from Class B states entering Illinois for feeding purposes only may be identified with a hot iron brand on either or both jaws or either hip using the letter F of not less than three inches in height.

d) Female cattle, except those consigned directly to slaughter, entering Illinois from Class C states shall, in addition to present entry requirements now on file, either originate from a certified brucellosis-free herd or be spayed and be officially identified by a hot iron brand on either or both jaws or on either hip using an open spade design (e.g., as used in playing cards) of

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not less than three inches in height. Certification of spaying by an accredited veterinarian is to be shown on the official interstate health certificate. Female cattle may be spayed after entry into Illinois with prior approval from the Division which will be given upon receipt of the name of the veterinarian who will be performing the operation.

e) Calves under two months of age not accompanied by their dams may be imported from Class C states if they meet the following requirements:

- 1) An entry permit shall be obtained on all shipments. All such calves shall be quarantined until shipped to slaughter or neutered (spayed or castrated).
- 2) All calves shall be accompanied by the Certificate of Veterinary Inspection (i.e., health certificate) and shall be individually identified by official ear tags. The ear tag numbers shall be recorded on the Certificate.

(Source: Amended at 13 Ill. Reg. 3636, effective March 13, 1989)

ILLINOIS REGISTER

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NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Diseased Animals
- 2) Code Citation: 8 Ill. Adm. Code 85
- 3) Section numbers: Adopted Action:

85.5 Amendment

85.10 Amendment

85.15 Amendment

85.50 Amendment

85.75 Amendment
- 4) Statutory Authority: Illinois Diseased Animals Act (Ill. Rev. Stat. 1987, ch. 8, pars. 469, 179, 180, and 189)
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notices of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19185

(issue date)
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: Section 85.10(a), added "--poultry" after "enteritidis".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

We are updating references to the Code of Federal Rules by citing the latest edition which is the 1988 edition. This change will eliminate the need to keep old CFR's on file in the agency and carried by our inspection personnel. Also, it is easier for the public to locate the rule in a library when the current version is cited. These amendments will not impose any additional requirements.

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On August 16, 1988, the Secretary of the U.S. Department of Agriculture declared salmonella enteritidis a hazardous disease to the poultry industry. Salmonella enteritidis has occurred with increasing frequency in the northeastern United States during the past several years. A recent discovery indicated that salmonella enteritidis can be spread from an infected hen through an intact egg. Salmonella enteritidis has been identified at a hatchery in Illinois. The amendment will require any veterinarian, producers of table eggs, or other person who has knowledge of the disease to report the disease to the Department immediately after discovery. Through reporting, the Department will gain valuable information on the extent of the infection and how fast it is spreading.

We are updating reference to the Bovine Tuberculosis Eradication Uniform Methods and Rules, which has been republished as of March 31, 1988. This amendment will not impose any additional compliance requirements on goats.

16) Information and questions regarding this adopted amendment

shall be directed to:

Name: Donna Garman

Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281

Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER 1: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 85
DISEASED ANIMALS

Section	
85.5	Definitions
85.7	Incorporation by Reference
85.10	Reportable Diseases
85.15	Truck Cleaning and Disinfection
85.20	Disposal of Sick, Diseased, or Crippled Animals at Stockyards
85.25	Sale of Livestock Quarantined Because of Disease
85.30	Identification Ear Tags for Livestock
85.35	Identification Tags Not to be Removed
85.40	Livestock for Immediate Slaughter Not to be Diverted En Route
85.45	Anthrax
85.50	Goats
85.55	Scrapie in Sheep
85.60	Bluetongue
85.65	Sheep Foot Rot (Repealed)
85.70	Cattle Scabies
85.75	Cattle Scabies -- Additional Requirements on Cattle from Certain Designated Areas
85.80	Sheep
85.85	Diseased Animals
85.90	Copy of Health Certificate Shall be Furnished
85.95	Requests for Permits
85.100	Consignments to Stockyards, Recognized Slaughtering Centers, or Marketing Centers
85.105	Obligation of Transportation Company and Truck Operators
85.110	Additional Requirements on Cattle From Designated States

AUTHORITY: Implementing and authorized by the Illinois Diseased Animals Act (Ill. Rev. Stat. 1987, ch. 8, par. 168 et seq.) and Section 6 of the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1987, ch. 8, par. 139).

SOURCE: Regulations Relating to Diseased Animals, filed January 17, 1972, effective January 27, 1972; filed August 19, 1975, effective August 29, 1975; filed December 29, 1976, effective January 8, 1977; amended at 2 Ill. Reg. 24, p. 12, effective June 15, 1978; amended at 3 Ill. Reg. 33, p. 337, effective August 17, 1979; amended at 5 Ill. Reg. 724, effective January 2, 1981; cod-

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ified at 5 Ill. Reg. 10456; amended at 7 Ill. Reg. 1746, effective January 28, 1983; amended at 8 Ill. Reg. 5925, effective April 23, 1984; amended at 9 Ill. Reg. 4489, effective March 22, 1985; amended at 9 Ill. Reg. 18411, effective November 19, 1985; amended at 10 Ill. Reg. 20464, effective January 1, 1987; amended at 12 Ill. Reg. 8283, effective May 2, 1988; amended at 13 Ill. Reg. 3642, effective March 13, 1989.

Section 85.5 Definitions

For the purpose of these rules, the following definitions shall apply:

"Accredited veterinarian" means a veterinarian who is licensed by the state in which he practices, is approved by the animal health authority of that state, and is accredited by the United States Department of Agriculture (9 CFR 160, 161 and 162; 1988 #987).

"Division" means the Division of Animal Industries of the Illinois Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, Illinois 62794-9281.

"Recognized slaughtering center" means an establishment where slaughtering is conducted under Federal or State inspection.

(Source: Amended at 13 Ill. Reg. 3642, effective March 13, 1989)

Section 85.10 Reportable Diseases

a) Suspected cases of the following diseases shall be reported immediately to the Department:

anthrax
avian influenza
bluetongue
brucellosis -- bovine, swine, equine and caprine
contagious equine metritis
equine viral encephalitis
fowl typhoid
hog cholera
Mycoplasma gallisepticum -- turkeys
Mycoplasma synoviae -- turkeys
Newcastle disease

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paratuberculosis -- (John's disease)
piroplasmosis
pseudorabies -- (Aujeszky's disease)
psittacosis -- (ornithosis)
pullorum disease
rabies

salmonella enteritidis -- poultry
salmonella typhimurium -- poultry
scabies -- cattle and sheep
scrapie
tuberculosis -- bovine
vesicular conditions of any type
any contagious or infectious disease presently considered as "exotic", i.e., not known to exist in the United States

b) Any herd owner, flock owner, veterinarian or other person having knowledge of the disease, failing to report a suspect case of any of the above diseases immediately after discovery, or who is responsible for the spread of the disease, shall be subject to penalty as provided by law.

c) Reports of any of the above diseases shall be made to the Division, telephone 217/782-4944.

(Source: Amended at 13 Ill. Reg. 3642, effective March 13, 1989)

Section 85.15 Truck Cleaning and Disinfection

Any truck or other conveyance in which diseased livestock is transported shall be cleaned and disinfected immediately after the diseased livestock is unloaded as prescribed in the Code of Federal Regulations (9 CFR 71.7, 71.10-71.12; 1988 #987).

(Source: Amended at 13 Ill. Reg. 3642, effective March 13, 1989)

Section 85.50 Goats

a) Part A -- Brucellosis in Goats

1) When a serologic test for brucellosis in goats discloses one or more reactors, the entire herd shall be placed under quarantine and the reactor(s) immediately isolated from the remainder of the herd, reactor tagged and branded, and slaughtered. After

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removal of the reactor(s), the entire herd shall be retested at time intervals and the number of times as requested by the Division. The length of the quarantine period shall be determined by the Division.

- 2) All brucellosis agglutination blood tests of goats shall be made at an approved laboratory.

- b) Part B -- Requirements for Establishing and Maintaining Certified Brucellosis-Free Herds of Goats

1) General Requirements

- A) Certified brucellosis-free herd certificates, which shall be valid for one year, unless revoked in accordance with the procedures as adopted by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176) and as outlined for cattle certificate revocation in the Brucellosis Eradication Uniform Methods and Rules, effective July 1, 1986, published by the United States Department of Agriculture, Animal and Plant Health Inspection Service, shall be issued by the Division.

- B) Certificates shall be extended for a period of one year upon evidence of a negative herd retest and compliance with all requirements for maintenance of a certified brucellosis-free herd.

- C) A "herd" shall be considered as including all animals 6 months of age and over and shall consist of at least 5 animals.

- D) All animals in the herd shall be identified by registration number, individual tattoo, or ear tag.

- E) All official blood tests of goats shall be conducted at an approved laboratory.

2) To Qualify for Certification

- A) Herds shall be certified upon completion of 2 consecutive negative complete herd tests not less than 10 nor more than 14 months apart.

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- B) Animals classified as suspects, in herds that are otherwise negative, must be retested at 30-day intervals until their status has been determined. If the suspects are sold or otherwise disposed of before their status has been determined, the entire herd must be retested to achieve a negative herd status. If the suspects are classified as reactors upon retest, the herd is considered to be infected. Diseased goats may only be consigned directly to a slaughtering facility and must be accompanied by a "Permit for Movement, VS Form 1-27".

- C) If on the initial herd test, or as a result of any retests of animals in the herd, one or more reactors are disclosed, the entire herd shall be placed under quarantine and the reactor(s) immediately isolated from the remainder of the herd, reactor tagged and branded, and slaughtered. After removal of the reactor(s), the entire herd shall be retested at time intervals and the number of times as requested by the Division. The length of the quarantine period shall be determined by the Division.

3) To Qualify for Recertification

- A) A negative herd test conducted within 60 days prior to the anniversary date is required for continuous certification. Upon receipt of a negative herd test, the Division shall extend certification for 12 months from the anniversary date.

- B) If the annual test for recertification is conducted within 60 days following the anniversary date and all the animals are negative, certification will be restored and the certification period will be 12 months from the anniversary date.

- C) If the annual test for recertification is not conducted within 60 days following the anniversary date, certification is cancelled and recertification requirements are then the same as for initial certification.

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D) If suspects or reactors are disclosed on a recertification test, their disposition and herd retest requirements shall be the same as specified in 8 Ill. Adm. Code 85.50(b)(2)(B) and (C).

E) All official blood tests of goats shall be conducted at an approved laboratory.

4) Additions to Certified Brucellosis-Free Herds

A) Animals originating from other certified herds may be added without tests.

B) Animals originating from herds not certified may be added; provided, they are negative to an official brucellosis test within 60 days prior to addition, are held in isolation from other members of the certified herd for a minimum period of 30 days and are retested and negative at the end of this isolation period.

C) Purchased additions shall not receive new herd status for sale or exhibition purposes until they have been members of the herd for at least 30 days and are included in a complete herd retest.

c) Part C -- Requirements for Establishing and Maintaining Accredited Tuberculosis-Free Herds of Goats

1) General Requirements

A) Accredited tuberculosis-free herd certificates, which shall be valid for one year, unless revoked in accordance with the procedures outlined in the Bovine Tuberculosis Eradication Uniform Methods and Rules, effective March 31, 1988 January 4, 1982, with amendments through February 20, 1987, Part III B, Accredited Herd Plan for Dairy Goats, shall be issued by the Division (9 CFR 77.1 (1988 +987)).

B) Certificates may be extended for a period of one year upon evidence of a negative herd retest and compliance with all requirements for maintenance of an accredited tuberculosis-free herd.

C) A "herd" shall be considered as including all animals 12 months of age and over and shall consist of at least 5 animals.

D) All animals in the herd shall be identified by registration number, individual tattoo, or ear tag.

E) All official tuberculin tests shall be conducted by an accredited veterinarian or a veterinarian in the employ of the Illinois Department of Agriculture or the United States Department of Agriculture.

2) To Qualify for Accreditation

A) Herds shall be accredited upon completion of 2 consecutive negative complete herd tests not less than 10 nor more than 14 months apart.

B) If a reaction to the tuberculin test is disclosed, the veterinarian reading the test shall, within 24 hours, notify the Division by collect telephone call and make arrangements for a veterinarian trained in conducting the comparative-cervical test to retest the animal within 10 days of the original injection. If the animal is identified as a reactor as a result of the comparative-cervical test, personnel from either the Illinois Department of Agriculture or the United States Department of Agriculture will issue a quarantine, supervise disposition of animals, and conduct additional tests on members of the herd.

3) To Qualify for Reaccreditation

A) A negative herd test conducted within 60 days prior to the anniversary date is required for continuous accreditation. Upon receipt of a negative herd test, the Division shall extend accreditation for 12 months from the anniversary date.

B) If the annual test for reaccreditation is conducted within 60 days following the anniversary date, certification will be restored and the

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accreditation period will be 12 months from the anniversary date.

- C) If the annual test for reaccreditation is not conducted within 60 days following the anniversary date, accreditation is cancelled and reaccreditation requirements are then the same as for initial accreditation.
- D) If a reaction to the tuberculin test is disclosed at the time of the reaccreditation test, the procedure outlined in 8 Ill. Adm. Code 85.50(b)(2)(B) shall be followed.

4) Additions to Accredited Tuberculosis-Free Herds

- A) Animals originating from other accredited herds may be added without tests.
- B) Animals originating from herds not accredited may be added; provided, they are negative to an official test for tuberculosis within 60 days prior to addition and are retested and negative to an official tuberculin test not sooner than 60 days from the date the previous test was conducted.
- C) Purchased additions shall not receive new herd status for sale or exhibition purposes until they have been members of the herd for at least 60 days and are included in a complete herd retest.

- d) Part D - Other Contagious Diseases. All goats, including dairy goats, will not be allowed to be exhibited in Illinois and must be removed immediately from the exhibition area if showing signs of any of the following conditions:

- 1) Lesions of contagious ecthyma (sore mouth).
- 2) Active lesions of ringworm with resulting loss of hair.
- 3) Caseous lymphadenitis as evidenced by draining abscesses.

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(Source: Amended at 13 Ill. Reg. 3642, effective March 13, 1989)

Section 85.75 Cattle Scabies -- Additional Requirements on Cattle from Certain Designated Areas

- a) A prior permit must be obtained from the Division before cattle, except those consigned direct to slaughter, may enter Illinois from certain designated areas determined to have high incidence of cattle scabies. The Director of the Department shall have authority to specify the designated areas from which movement of cattle into Illinois will be restricted.
- b) Cattle from such areas, except those consigned to a recognized exhibition and moved from Illinois following exhibition (county and State fairs, other State-supported exhibitions, and breed registry exhibitions); dairy cattle; or those consigned direct to slaughter, shall be dipped for cattle scabies within 10 days prior to entry or treated in accordance with the procedures as set forth in 9 CFR 73.12 (1988 + 1987).
- c) Each such animal shall be treated with a solution of approved acaricide and water or other method of treatment approved by the United States Department of Agriculture (9 CFR 73.10 and 73.12; 1988 + 1987).

(Source: Amended at 13 Ill. Reg. 3642, effective March 13, 1989)

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- 1) The Heading of the Part: Farmland Preservation Act
- 2) Code Citation: 8 Ill. Adm. Code 700
- 3) Section numbers: Adopted Action:
Appendix G Amendment
- 4) Statutory Authority: Farmland Preservation Act (Ill. Rev. Stat. 1987, ch. 5, pars. 1304 and 1306).
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notices of Proposal Published in Illinois Register:

October 28 1988, 12 Ill. Reg. 17139
(issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

Main source note, authority note, and Appendix I in the Table of Contents updated to show changes that were adopted by another rulemaking in the interim.

In the Preface section, placed the abbreviations for chapter and paragraph in the statutory citation in lower case.

In the Analysis of Impact, under Permits, last sentence, added a comma after the closing parenthesis.

In the Analysis of Impact, under Grants, third paragraph, corrected the spelling of "wastewater"; in the last paragraph added: "(7 U.S.C. 4201 et seq.)" after "Act" and changed "mitigation is" to "mitigation are".

In the Analysis of Impact, under Rules and Regulations, last paragraph, changed "1983" to "1987".

In Mitigation Procedures, paragraph B, added: "(42 U.S.C. 4231 et seq.)" after "Act"; in paragraph D, added: "(35 Ill. Adm. Code 362 and 363)" after "grant".

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In the Cooperative Working Agreement, subsection (A)(9), first and second paragraphs, changed the colon to a comma. In subsections (C)(1) and (D), changed "PA" to "P.A.".

Added a section source note at the end of the rulemaking.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Appendix G is the Illinois Environmental Protection Agency's Agricultural Land Preservation Policy Statement and Cooperative Working Agreement which specifies the policy of that agency toward farmland preservation and the administrative process used to implement that policy.

The original policy statement was prepared in response to Executive Order 80-4, and according to Section 4 of the Farmland Preservation Act, that policy was to remain in effect upon the Act becoming law. Section 4 of the Act requires the policy statements and cooperative working agreements to be prepared as rules for the administration of the program. Further, the policy statement and cooperative working agreement shall be updated by the State agency and reviewed and approved by the Department of Agriculture every 3 years.

Appendix G is being updated to reflect current policy of the Environmental Protection Agency. The Executive Order promoted the protection of Illinois farmland by seeking the greatest degree of protection for Classes I, II, and III lands. The provisions of the Farmland Preservation Act give protection to all classes of farmland. Many of the changes are simply language clarification of existing policy and for consistency purposes and ease in referencing two agencies.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman

Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281

Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER I: DEPARTMENT OF AGRICULTURE

SUBCHAPTER q: SOIL AND WATER CONSERVATION

PART 700

FARMLAND PRESERVATION ACT

Section

- 700.10 Definitions
 700.20 Requirements of Policy Statements and Cooperative Working Agreements
 700.30 Review of Agency Project Proposals
 700.40 Report: The Tracking of Farmland Converted by State Activities

APPENDIX A Illinois Department of Agriculture

- EXHIBIT A Illinois Department of Agriculture's Agricultural Land Preservation Policy Statement
 EXHIBIT B The Proposed Project Review Process
 EXHIBIT C Conflict Resolution Process
 EXHIBIT D Land Use Definitions

APPENDIX B Illinois Bureau of the Budget's Agricultural Land Preservation Policy Statement and Cooperative Working Agreement

APPENDIX C Capital Development Board

- EXHIBIT A Capital Development Board's Agricultural Land Preservation Policy Statement
 EXHIBIT B CDB Agricultural Land Conversion Mitigation Measures

EXHIBIT C Capital Development Board - Illinois Department

- of Agriculture Cooperative Working Agreement
 TABLE A CDB User Agency Designation in Relation to Land Acquisition

TABLE B Capital Project Development Process

TABLE C Capital Development Board Agricultural Land

- Conversion Mitigation Measures (Repealed)
 APPENDIX D Illinois Department of Conservation

EXHIBIT A Agricultural Land Preservation Policy Statement

- and Cooperative Agreement
 EXHIBIT B Illinois State Statutes Governing the Department of Conservation

APPENDIX E Department of Commerce and Community Affairs' Farm-

- land Preservation Policy and Cooperative Agreement
 APPENDIX F Department of Energy and Natural Resources'

- (Illinois Institute of Natural Resources)
 Agricultural Land Preservation Policy and Cooperative Working Agreement

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APPENDIX G

Illinois Environmental Protection Agency's Agricultural ~~Agreement~~ Land Preservation Policy Statement and Cooperative Working Agreement

APPENDIX H

Illinois Department of Mines and Minerals'

APPENDIX I

Agricultural Land Preservation Policy Statement
 Illinois Department of Transportation's Agricultural Land Preservation Policy Statement and Cooperative Working Agreement

APPENDIX J

Illinois Commerce Commission's Agricultural Land Preservation Policy Statement and Cooperative Working Agreement

AUTHORITY: Implementing and authorized by the Farmland Preservation Act (Ill. Rev. Stat. 1987, ch. 5, par. 1301 et seq.).

SOURCE: Adopted at 8 Ill. Reg. 15279, effective August 9, 1984; amended at 11 Ill. Reg. 18569, effective November 2, 1987; amended at 11 Ill. Reg. 19011, effective November 10, 1987; amended at 11 Ill. Reg. 20527, effective December 2, 1987; amended at 12 Ill. Reg. 5235, effective March 4, 1988; amended at 13 Ill. Reg. 285, effective December 28, 1988; amended at 13 Ill. Reg. 3653, effective March 13, 1989.

Section 700.APPENDIX G Illinois Environmental Protection Agency's Agricultural ~~Agreement~~ Land Preservation Policy Statement and Cooperative Working Agreement

PREFACE

On August 19, 1982, Governor James R. Thompson signed into law the Farmland Preservation Act (Ill. Rev. Stat. 1987, ch. 5, par. 1301 et seq.), which required the Illinois Environmental Protection Agency (IEPA) to develop an agricultural land preservation policy statement and cooperative working agreement. The following policy statement and working agreement are submitted in accordance with the Act. On July 22, 1989, Governor James R. Thompson signed Executive Order 80-4 entitled "Preservation of Illinois Farmland" which requires state agencies to develop an agreement land preservation policy in response to that Order. The Illinois Environmental Protection Agency has prepared the following operational policy.

POLICY STATEMENT

The Illinois Environmental Protection Agency recognizes the need to maintain the quality of the State's productive agricultural land and also to protect this valuable resource from permanent conversion to non-agricultural uses. It shall be the policy of

The Illinois Environmental Protection Agency recognizes the need to maintain the quality of the State's productive agricultural land and also to protect this valuable resource from permanent conversion to non-agricultural uses. It shall be the policy of

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the Agency in its programs and operations to preserve Illinois farmland to the extent practical and feasible within its authority, through procedures consistent with State and Federal laws.

ANALYSIS OF IMPACT

The Illinois Environmental Protection Agency has the responsibility to protect public health, welfare and quality of life in Illinois by protecting the environment. The Agency monitors environmental pollutants, enforces pollution control regulations, carries out permit programs to control certain pollution related activities, and administers grants for planning and construction of wastewater treatment facilities.

IEPA's programs and operations do not involve land acquisition for capital development; therefore, the Agency will not directly cause conversion of agricultural lands. Indirect and secondary impacts may occur, however, through administration of permits, grants, and regulatory programs.

Permits

The four program Divisions of IEPA (Air Pollution Control, Water Pollution Control, Public Water Supplies, and Land/Noise Pollution Control) issue permits for the construction and operation of pollution control facilities, water treatment works, and enterprises which are potential sources of pollution. Additionally, the Agency issues authorizations or certifications to federal agencies for their action on applications for permits, licenses and other forms of federal approval of proposed activities.

The Agency's permit programs and related Federal programs can affect farmland as follows:

- a) Through decisions on facility planning areas which consequently affect the location of new sewage treatment plants/interceptors and public water supply facilities/distribution systems.
- b) Through construction permit decisions for new sources of pollution control facilities which may be built at locations which could affect farmland.
- c) Through decisions on the siting of solid waste facilities.

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- d) Through decisions on other pollution source controls for mine related pollution and agricultural related pollution.
- e) Through reviews of environmental impact statements.

Any Agency program activity which is responsible to Federal laws must comply with the National Environmental Policy Act and USEPA policy on farmland preservation. (The USEPA policy, September 8, 1978, is consistent with policies of the U.S. Department of Agriculture and the Council on Environmental Quality. It proclaims, "It is EPA's policy to protect, through the administration and implementation of its programs and regulations, the Nation's environmentally significant agricultural land from irreversible conversion to uses which result in its loss as an environmental or essential food production resource.") However, Agency permit denials, absent state law, cannot be predicated in any instance solely on the taking of prime farmland out of production. Therefore, information on farmland for permit determinations is limited to the facts relating to pollution control attributes of the source. In the event a proposed activity is inconsistent with existing state law (i.e., Agricultural Areas Conservation and Protection Act (Ill. Rev. Stat. 1987, ch. 5, par. 1001 et seq.) agricultural zones---) permits must be denied by the Agency.

Grants

The direct impact of state and federal wastewater treatment works construction grants programs administered by the Agency upon land conversion is generally insignificant. The major wastewater construction grant programs are the state Build Illinois Program Anti-Pollution Fund and the U.S. Environmental Protection Agency program authorized under Section 201 of the Federal Clean Water Act.

From the original \$750 million in the Anti-Pollution Fund, approximately \$600 million has been obligated. The remainder will be expended over the next three to five years. There are no projections as to where funds will be directed; however, it is expected the balance will be used mainly for upgrading older existing systems, and consequently will not result in conversions of agricultural lands through future commitments of state resources.

In general, land requirements for siting of grant eligible pollution control facilities are small and are responsive to the existing and near term needs of urban centers. However, the secondary effects of wastewater treatment provisions to

accommodate anticipated future urban growth upon land conversion can be significant.

Future growth and anticipated wastewater treatment needs are currently limited to projected population levels established by the Illinois Bureau of the Budget forecasts and are limited to service within established facility planning areas (FPA). The service areas for growth are established by local governments consistent with their planned growth patterns and density into adjacent land areas. The planning requirements which must be met coupled with grant eligibility limitations on transport systems discourage leap frog development.

Although the impact of urbanization upon farmland conversion is significant, the wastewater grant programs merely help provide for adequate pollution control resulting from local decision making and population distribution.

All federal wastewater construction grants are required to protect environmentally significant agricultural lands from irreversible conversion to uses which result in its loss as an environmental or essential food production resource. As part of the decision making decision-making process for the planning, design and construction of interceptors and treatment facilities, farmland protection is considered. USEPA procedures are defined in regulations developed pursuant to the National Environmental Policy Act and the USEPA policy on farmland protection. An additional directive to minimize farmland conversion is provided to the USEPA in the federal Farmland Protection Policy Act (7 U.S.C. 4201 et seq.). Adequate consideration and mitigation are also an integral part of the State wastewater construction grant program which is operated consistent with the USEPA program. Planning and design phases (Step I and II grants) are also subject to local and interagency review procedures established by the Illinois Bureau of the Budget Clearinghouse.

Rules and Regulations

Regulatory programs are administered by each Division as prescribed by the Illinois Pollution Control Board's Rules and Regulations (35 Ill. Adm. Code: Subtitles A through H). Enforcement of the regulations may require application of pollution control techniques that are costly or discouraging to some agricultural operations. This is most evident where urban encroachment upon existing agricultural areas is occurring.

From a broader perspective the regulatory programs are supportive of farmland preservation. Specific agricultural exemptions are

incorporated in the air, solid waste, and noise pollution regulations (Ill. Rev. Stat. 1987 +1983, ch. 111 1/2, par. 21(f) and 35 Ill. Adm. Code 237.120(a), 722.151, 809.211, 901.107(a) and (c), and 902.140(a)(4)). Enforcement of the regulations protects and enhances the quality of Illinois' land, water, and air resources which are indispensable to a productive agricultural industry.

MITIGATION PROCEDURES

Agency program activities shall continue to be responsive and generally responsible to the Farmland Preservation Act Executive Order. Agricultural land protection efforts shall be supported through intergovernmental coordination and review consistent with State and Federal laws. Reasonable opportunities for review and comment on Agency actions will be afforded consistent with schedules for Agency decisions prescribed by law, regulation, or Agency policy. Where applicable feasible and practicable, Agency administrative procedures on regulatory and programmatic functions shall be administered in a manner which is consistent with the Farmland Preservation Act consider agricultural impacts consistent with the Executive Order. Protection of prime agricultural lands shall be carried out in the following Agency actions:

- a) The Agency will continue to participate in an inter-agency committee to carry out the objectives of land preservation.
- b) The Agency will provide adequate opportunities for Department of Agriculture (DOA) review and comment upon wastewater construction grants. Notice of Step I facility planning and Step II design grant applications will be provided by established A-95 procedures. Primary and secondary impacts on agricultural land shall be determined, and mitigation measures recommended in environmental assessments of facility plans pursuant to federal regulations (40 CFR 6 (1983)). Opportunity for DOA review and comment will be made as set forth in 8 Ill. Adm. Code 700-APPENDIX G, Cooperative Agreement.
- e) Consideration of impacts on agricultural land shall be made within the process of developing new or revised regulations or administrative procedures where reasonable and feasible. In particular, the conversion of farmland shall be evaluated by the Agency in accordance with the National Environmental Policy Act (42 U.S.C. 4231 et seq.) 40 CFR 6 (1983) in considering revisions to boundaries of facility planning areas designated in accordance with the Clean Water Act (P.L.

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95-217, as amended). Agency evaluation shall include consideration of comments from IDOA.

C. The Agency will provide the Illinois Department of Agriculture (IDOA) wastewater permit application information for purposes of administering the Farmland Preservation Act.

D. In conjunction with Agency approval of an FPA/construction grant (35 Ill. Adm. Code 362 and 363), potential farmland conversion will be considered in the decision making process.

E. Wastewater treatment works construction grant applicants will be required to submit information for the State Clearinghouse Review.

F. d) Agency programmatic activities shall support and encourage agricultural land protection programs to achieve a balanced resource management program.

(May, 1988 July, 1981; revised)

COOPERATIVE AGREEMENT

A. The Illinois Environmental Protection Agency (IEPA) and the Illinois Department of Agriculture (IDOA) will jointly develop a reporting procedure to assess the impact of State and Federal Wastewater Construction Grants on agricultural land protection. Implementation of this procedure shall be carried out to satisfy state and federal laws and regulations.

B. The IEPA shall ensure notification of IDOA and provide opportunity as set forth in 8 Ill. Adm. Code 700-APPENDIX A-EXHIBIT A. Time limitations to review and comment upon wastewater construction grants as follows:

1. Notice shall be provided for preplanning meetings on developing facility plans.

2. Consultation with IDOA prior to approval of facility plans which:

a. Will convert farmland outside of an approved Facility Planning Area (FPA);

b. Will cross the boundary of one or more FPAs;

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3. No notice shall be required for projects lying within approved FPAs.

4. Notice shall be provided for all amendments to facility plans either reviewed under B2 above or which call for the conversion of agricultural land not initially required. IDOA shall follow guidelines given in its policy and report to the Agency within 30 days as to its findings. IDOA shall accept existing facility plans and Facility Planning Areas established prior to July 1, 1983. Bands within approved Facility Planning Areas are considered reasonable areas for urbanization and development.

Illinois Environmental Protection Agency - Illinois Department of Agriculture Cooperative Working Agreement

A. The IEPA shall provide official notification to the IDOA on a developing facility plan if the facility plan necessitates the creation of a new FPA or an expansion of an approved FPA; however, no notice shall be required for any activity occurring within an approved FPA. An official notification will include the following information when available from the project applicant:

1. Project description;
2. Map indicating general project location in the county;
3. The most current soil survey map showing precise project boundaries;
4. Identification of all land classes (I-VIII) lying within project boundaries and the number of acres contained within each land class;
5. Identification of zoning and whether the project is in compliance with a comprehensive plan regulating the project area, if applicable;
6. Identification of land use within project area and of that land contiguous to it;
7. The project proposal discussing how the size and location of the proposed project shall meet and not exceed the goals of the project thereby avoiding unnecessary farmland conversion;
8. Explanation of project location;

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9. Name, address and telephone number of individual who provided the above information.

The IDOA will initiate its Study of Agricultural Impacts upon receiving the notification and will complete the study in accordance with 8 Ill. Adm. Code 700. Appendix A, Exhibit A, "Time Limitations."

Where applicable, the IEPA will not release information to the general public relative to a final decision on a project subject to the IDOA's Study of Agricultural Impacts until the IDOA has completed its study. If a project is not in compliance with the IEPA's policy statement and/or working agreement and a compromise cannot be reached, the IDOA shall invoke the Conflict Resolution Process in accordance with 8 Ill. Adm. Code 700. Appendix A, Exhibit C.

Upon approval of an FPA subject to this working agreement, IEPA will forward to IDOA the highest quality map available, delineating the boundaries to the new or modified FPA.

B. IEPA shall notify IDOA in writing when a petition is submitted to IEPA invoking the "Procedures and Requirements for Conflict Resolution in Revising Water Quality Management Plans" (35 Ill. Adm. Code 351). In turn, IDOA shall notify in writing the appropriate Soil and Water Conservation District (S&WCD). Notification shall include:

1. Those instances which would revise the Water Quality Management Plans (WQM) as outlined in 35 Ill. Adm. Code 351.103.
2. Those instances where exceptions to boundaries for FPA's may be granted without revising the WQM Plan as discussed in 35 Ill. Adm. Code 351.502.

Adequate notification shall be given to enable IDOA and the S&WCD to review the petition and participate as outlined in 35 Ill. Adm. Code 351.

C. When the project converts or has the potential to convert farmland, IDOA shall encourage the local S&WCD to participate in providing inputs into:

1. IEPA regulatory programs covered by P.A. 82-682 (facility siting under the Environmental Protection Act); and
2. Issues covered by 35 Ill. Adm. Code 351.

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D. IEPA will notify IDOA in writing of permit applications received for the development and operation of new municipal waste landfills not subject to the facility siting provisions of P.A. 82-682.

E. IEPA will notify IDOA in writing of submitted permit applications that pertain to new facilities or modifications to existing facilities which are located outside of approved facility planning areas.

F. IEPA shall inform applicants for Wastewater Construction Grants of existing farmland protection policies and of information required on grant applications in accordance with the National Environmental Policy Act 40 CFR 6 and 35-2030 (1983). Data required by the Agriculture and Food Act of 1981, P.L. 97-98, shall be solicited by the applicant from the U.S.D.A. Soil Conservation Service. In cases where these data are ~~is~~ not made available from SCS, IDOA shall endeavor to provide the necessary information to the applicant to complete the application where possible.

G. IDOA shall provide IEPA with current maps of the highest quality available, delineating the boundaries of all approved Agricultural Areas in the State.

H. IEPA Should either agency experience changes in policy or procedures which would alter the manner in which the agreement would be executed, the other agency shall be informed for the purpose of negotiating a new agreement.

(May, 1988 September, 1983; revised)

(Source: Amended at 13 Ill. Reg. 3653, effective March 13, 1989)

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1) The Heading of the Part: Grain Dealers

2) Code Citation: 68 Ill. Adm. Code 600

Section numbers:	Adopted Action:	Section numbers	Adopted Action
600.10	Amend	600.80	Amend
600.30	Amend	600.90	New
600.60	Amend	600.100	New
		600.110	New

4) Statutory Authority: Illinois Grain Dealers Act (Ill. Rev. Stat. 1987, ch. 111, pars. 301.01, 302, 304, 306, 308, 310, and 311, as amended by P.A. 85-1162, effective August 12, 1988).

5) Effective Date of Amendments: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notices of Proposal Published in Illinois Register:

December 2, 1988, 12 Ill. Reg. 19795
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:
In Section 600.30(a), changed "Registration and Education" to "Professional Regulation" and added "(Ill. Rev. Stat. 1987, ch. 111, par. 5516)".

In Section 600.80(b), added in the first sentence "When reprinting contracts".

In Section 600.80(b)(3) added "(See Section 600.10(d) for contracts included in this group)".

In Section 600.100, added "If a grain dealer uses settlement sheets, the dealer shall comply with the requirements of this Section."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

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14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

For stored grain, a Warehouse Receipt may not always be issued. In such cases, the date of delivery of the grain will be the date the purchase price is agreed upon. Section 01 of the Act added a short title and the rules are amended to reflect the short title. Because this new section was added, the beginning paragraph in citing the statutory authority for the Act has been changed, and we are adopting the latest edition of the Illinois Revised Statutes. References to a new Section pertaining to printing of price later contracts has been added.

P.A. 85-1162 amended the Grain Dealers Act to require a statement of cash flows rather than a statement of changes in financial position in applying for a license. The Financial Accounting Standards Board changed the title and information that appears on standard accounting documents. Changes in financial position is now known as changes in cash flows. The amendments in Section 600.30 of these rules makes the language in the rules compatible with the statutory changes.

The Department is charged with determining the financial resources of grain dealers for the purposes of assuring financial deficiencies are collateralized and that the grain dealer is not in a speculative position. Therefore, it is important that the grain dealer's records be kept accurate as well as up-to-date and the records should include not only receipts and shipments, but total inventory. We are deleting that the grain dealer can have a 7 day lag in posting transactions. Such a lag of time in posting can contribute to inaccurate records and lead the grain dealer into a speculative position.

Section 304 of the Act requires that a licensee must carry insurance on all company-owned grain. The Department's intent for adding this requirement was that the grain dealer must carry provisional stock insurance on the grain, not to require cargo insurance on each truck load of grain. Cargo insurance is more expensive than provisional stock insurance, and some insurance companies have interpreted the language in the Act to mean cargo insurance. The proposed amendment in Section 600.60 is intended to resolve questions concerning the type of insurance that is needed.

Some grain dealers and depositors have complained that taking time to execute a price later contract after the grain has been paid for is unnecessary. The price later contract provisions are being amended to not require a contract if the grain has been priced and paid for within 30 days following completion of delivery of any given lot of grain. Because grain dealers contribute to a self-insurance fund in accordance with the Illinois Grain Insurance Act, a statement on the price later contract that the grain is covered by a grain dealer's bond and the establishing of time periods no longer has the importance that it once did for protecting depositors' interests nor are time requirements necessary. The language

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is being replaced with language relating to present procedures that are compatible with the Illinois Grain Insurance Act. Further, language pertaining to printing of price later contracts has been moved to a new Section 600.90, which addresses that subject.

Three new Sections have been added pertaining to printing of price later contracts, settlement sheets, and scale tickets. These provisions are generally the same provisions contained in the rules for Public Grain Warehouses. The majority of grain dealers are also grain warehousemen and already follow these requirements. Further, many of those who are not warehousemen use the standardized forms. The Department is requesting, both grain dealers and warehousemen, that the settlement sheets contain evidence of the method of settlement so Department auditors can audit records faster and locate the documents easier. Prenumbered settlement sheets, scale tickets, and price later contracts help to assure accurate recordkeeping and that duplicates of the forms do not exist or forms have been omitted. The Department is charged with determining the financial resources of the grain dealer in order to assure that depositors are paid for their grain.

16) Information and questions regarding this adopted amendment

shall be directed to:

Name: Donna Garman

Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281

Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER II: DEPARTMENT OF AGRICULTUREPART 600
GRAIN DEALERS

Section	
600.10	Definitions
600.20	Application of Rules
600.30	Application for License
600.40	Surety Bond or Certificate of Deposit
600.50	Fees
600.60	Right of Examination, Insurance and Required Records
600.70	Posting of Notices; Business Hours
600.80	Price Later Contracts
600.90	Printing of Price Later Contracts
600.100	Settlement Sheets
600.110	Scale Tickets

AUTHORITY: Implementing and authorized by the Illinois Grain Dealers Act "An act to license and regulate grain dealers engaged in the business of purchasing grain from the producers thereof and making an appropriation in connection therewith" (Ill. Rev. Stat. 1987-4984, ch. 111, par. 301.01 et seq., as amended by P.A. 85-1162, effective August 12, 1988).

SOURCE: Rules and Regulations for The Grain Dealers Act, filed January 5, 1973, effective January 15, 1973; amended November 16, 1977, effective December 1, 1977; 3 Ill. Reg. No. 19, p. 3, effective May 11, 1979; codified at 5 Ill. Reg. 10572; amended at 8 Ill. Reg. 850, effective January 5, 1984; amended at 13 Ill. Reg. 3665, effective March 13, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 600.10 Definitions

Terms defined for the purpose of administering the Act and these rules, unless context requires otherwise:

- a) "Date of Delivery of Grain to the Dealer" means the date that such grain is physically delivered to the dealer for the purpose of sale to the dealer. It does not mean the date that the grain is delivered for the purpose of storage; if the grain is in storage then the delivery date is the date the Warehouse Receipt is cancelled, if a Warehouse Receipt was issued. If no Warehouse Receipt

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was issued, the date of delivery shall be the date the purchase price is agreed upon.

- b) "Daily Grain Transaction Report" is a record of the daily transactions of a grain dealer showing the amount of all grain received, shipped, and on hand at day's end.

- c) "Act" means the Illinois Grain Dealers Act (Ill. Rev. Stat. 1987, ch. 111, par. 301.01 et seq., as amended by P.A. 85-1162, effective August 12, 1988) "An act to license and regulate grain dealers engaged in the business of purchasing grain from the producers thereof and making an appropriation in connection therewith," approved August 24, 1967, as amended.

- d) "Price Later Contract" means a complete written contract subject to Sections 9 and 10 of the Act and to Sections 600.80 and 600.90 of these rules 468 Ill. Admin. Code 600-80 which shall constitute a change of ownership when the formula for determining the price has been agreed upon and the grain is delivered. Open Price Contract, Deferred Price Contract, Delayed Price Contract, and Basis Contract or similar agreements shall be considered a Price Later Contract.

(Source: Amended at 13 Ill. Reg. 3665, effective March 13, 1989)

Section 600.30 Application for License

- a) The application shall be accompanied by a current financial statement, which has been examined by an accountant licensed by the Illinois Department of Professional Regulation Registration and Education or an entity permitted to engage in the practice of public accounting under Section 15 of "An Act to regulate the practice of public accounting and to repeal certain acts therein named" (Ill. Rev. Stat. 1987, ch. 111, par. 5516). The accountant must certify that the balance sheet, income statement, statement of cash flows changes in financial position, and statement of retained earnings or changes in owner's equity have been examined in accordance with generally accepted auditing standards including such tests of the accounting records and such other auditing procedures as were considered necessary in the circumstances, and that these statements present fairly the financial position and the results of operations and

changes in cash flows financial position for the year then ended in conformity with generally accepted accounting principles applied on a consistent basis. For a financial statement to be current it must be received by the Department within five months of the financial statement date.

- b) When any grain dealer changes the address of his permanent business location, he shall file within 30 days an amendment to his license application on a form provided by the Department.

- c) All requirements for license renewal are due within 90 days of the grain dealer's fiscal year close, except that the Department may grant extensions of up to 60 days thereafter if the application for the extension is made prior to the renewal date of the license, or prior to the time that any extension granted under this rule expires, and the application for the extension is made by the applicant, in a form approved by the Department. Also, a document indicating preliminary financial condition of the applicant shall be submitted by the certified public accountant and shall accompany the form. If the required financial statement of the applicant has been received by the Department, the application for extension shall be made by the applicant. If review by the Department indicates the individual appears he may meet the requirements for license, then an extension may be granted.

- d) No license shall be issued to any applicant who fails to complete the submission of all license requirements within five months of the date of the applicant's financial statement.

- e) The audit report of any grain dealer must include all financial information material to the complete legal entity.

- f) The accountant that prepares the financial statement is responsible for adding any notes to the financial statements required for full disclosure and fair presentation according to generally accepted accounting principles.

(Source: Amended at 13 Ill. Reg. 3665, effective March 13, 1989)

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Section 600.60 Right of Examination, Insurance and Required Records

- a) Each grain dealer shall permit any officer or authorized representative of the Department to enter all locations listed on the application of the applicant or any location suspected of being part of the applicant's business operation and inspect or examine all contents, facilities, equipment, records, books and accounts relating thereto. Such inspection and/or examination may be made on any business day, during usual business hours. The grain dealer shall provide the necessary assistance required for any inspection or examination made in accordance with the Act and these rules.
- b) A consecutive page numbered permanent record of purchase receipts, and shipments and total inventory shall ~~will~~ be maintained and these records shall ~~will~~ be used to maintain the Daily Grain Transaction Report. This report must clearly indicate all grain which has been sold by means of a "price later contract." In cases where the grain dealer is also a licensed warehouseman, the Daily Position Report can be used in lieu of the Daily Grain Transaction Report and must be a consecutive page numbered permanent record.
- c) The grain dealer must give the producer a document indicating the weight, grade, dockage, and the price of the grain upon settlement.
- d) Regardless of the type of record system used, it shall be maintained accurately and ~~must~~ be kept up-to-date daily. ~~There shall not be a lag of more than 7 days in posting to this record.~~ All records shall ~~must~~ be maintained for a period of not less than one year.
- e) To retain his license, a grain dealer must maintain a liquid position throughout the year. There shall be no evidence of post dated checks, checks returned by a bank due to non-sufficient funds, or that a producer has been asked not to cash a grain dealer's check until a specified date. Any evidence that indicates a non-liquid position shall be grounds for the suspension or revocation of the grain dealer's license.
- f) The Department may require the grain dealer to report the number of bushels and kind of grain under price later contract at the end of any month. Such report

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shall be requested by the Department prior to the end of the month in question and shall be forwarded to the Department by not later than the 10th day of the following month.

- g) The Department may require the grain dealer to provide a current profit and loss statement and balance sheet; the total bushels of grain and kind sold by means of price later contracts; a Daily Grain Transaction Report; a report of hedging activities; and a review of the activities of the hedging account for the past 60 days. Such information will be furnished to the Department within 10 days upon request.
- h) Any person buying grain in the field from producers for a grain dealer must have a certificate from the grain dealer authorizing him to do so.
- i) To retain the license, a grain dealer shall carry provisional stock insurance on all company-owned grain stored within the grain dealer's facilities.

(Source: Amended at 13 Ill. Reg. 3665, effective March 13, 1989)

Section 600.80 Price Later Contracts

- a) A "price later contract" shall be made out at least in triplicate on a form prescribed by the Department. One copy shall be given to the producer and one copy kept for the grain dealer's files, the third copy shall be filed in numerical order at the dealer's place of business so that it can be used in the Department's normal examination of the dealer's records unless otherwise directed by the Department. The statement that the grain covered by this contract is sold, and as such is covered by a grain dealer's bond for a period of 160 days from the date of delivery or pricing, whichever is later, bond coverage not to exceed a maximum of 270 days, shall be printed on the contract directly above the place for the producer to sign to validate the contract, both the producer and the grain dealer shall sign this agreement within 30 days after completion of delivery of any given lot of grain. If the grain has been priced and paid for within this 30 day period, a price later contract does not need to be executed. A lapse of more than 30 days in delivery shall constitute the end of delivery of a lot of grain for

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purposes of complying with this rule. This contract must contain a clear agreement between the two parties involved as to how the price will be determined.

b) When reprinting contracts, the following statements shall be printed on the price later contract:

- 1) Title to the grain covered by this contract passes to buyer upon delivery;
- 2) Buyer is required to maintain liquid assets equal to 90% of its price later obligations; and
- 3) Price later grain is not stored for the seller. This contract is regarded as a grain dealer claim. The maximum coverage afforded by the Illinois Grain Insurance Fund is 85% of the valid grain dealer claim amount up to a maximum of \$100,000 per claimant. A valid grain dealer claim is defined as including all groups of contracts that in any way can be related or tied to a person or entity whether in full or part (see Section 600.10(d) for contracts included in this group).

c) b) The document representing grain delivered to the grain dealer shall clearly indicate that the grain is sold unless it has been sold by means of a price later contract. In such case, the document will be marked "Sold Grain: Price Later." This document does not replace or substitute for any other requirement of the Act or these rules, unless the grain is delivered into storage as provided in The Public Grain Warehouse and Warehouse Receipts Act (Illinois Revised Statutes, Chapter 114, paragraph 214.1 et seq.).

d) e) Any grain inventory used as part of the 90% price protection must be fully insured at all times for its full market value against loss or damage by fire, lightning, or tornado, cyclone, explosions, windstorm, and such other perils as may be required by the Department.

e) Printer, in order to obtain authorization to print Delayed Price Contracts, must file a bond in the amount of \$5,000 with the printer as principal and a responsible company authorized to execute surety bonds within the State of Illinois as surety. Such bond shall be on forms provided by the Department.

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(Source: Amended at 13 Ill. Reg. 3665, effective March 13, 1989)

Section 600.90 Printing of Price Later Contracts

A PRICE LATER CONTRACT SHALL BE PRINTED BY AN AGENCY, AUTHORIZED TO PRINT SUCH CONTRACTS BY THE DEPARTMENT (Section 9 of the Act). The Department shall authorize agencies to print price later contracts provided they agree to print contracts in accordance with this Section and provided they submit the required surety bond. The agency shall provide A SURETY BOND TO THE DEPARTMENT IN THE SUM OF \$5,000, payable to the People of the State of Illinois. Director of Agriculture as trustee, TO GUARANTEE THE FAITHFUL COMPLIANCE WITH THE FOLLOWING PROVISIONS AND REQUIREMENTS (Section 9 of the Act):

- a) All price later contracts shall be printed as prescribed in Section 600.80 and Section 9 of the Act.
- b) Price later contracts shall be PRINTED ONLY FOR THOSE PERSONS HAVING A VALID ILLINOIS GRAIN DEALER'S LICENSE (Section 9 of the Act).
- c) ALL PRICE LATER CONTRACTS SHALL BE NUMBERED CONSECUTIVELY (Section 9 of the Act).
- d) A COMPLETE RECORD OF THESE CONTRACTS PRINTED SHALL BE RETAINED BY THE PRINTING AGENCY FOR 5 YEARS, SHOWING FOR WHOM PRINTED, the number printed, AND THE CONSECUTIVE NUMBERS PRINTED THEREON (Section 9 of the Act).
- e) A DUPLICATE COPY OF ALL INVOICES RENDERED FOR PRINTING PRICE LATER CONTRACTS shall be forwarded by the printing agency to the Department at the same time as billing is made to the grain dealer. The INVOICE WILL SHOW for whom printed, THE CONSECUTIVE NUMBERS PRINTED on the price later contracts and NUMBER of contracts PRINTED (Section 9 of the Act).

(Source: Added at 13 Ill. Reg. 3665, effective March 13, 1989)

Section 600.100 Settlement Sheets

If a grain dealer uses settlement sheets, the dealer shall comply with the requirements of this Section. Settlement sheets shall be prenumbered by the printer. The grain dealer shall use settlement sheets in numerical sequence and account for all settle-

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ment sheets. Settlement sheets shall contain evidence of the method of settlement, such as check number, warehouse receipt number, or other evidence of settlement. Settlement sheets, both open and closed, shall be filed in a manner to be readily available for examination purposes, such as alphabetical or numerical.

(Source: Added at 13 Ill. Reg. 3665, effective March 13, 1989)

Section 600.110 Scale Tickets

Scale tickets shall be prenumbered by the printer. The grain dealer shall issue scale tickets in numerical sequence, and a copy of the scale ticket shall be filed numerically. The grain dealer shall account for all scale tickets.

(Source: Added at 13 Ill. Reg. 3665, effective March 13, 1989)

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NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Illinois Bovine Tuberculosis Eradication Act

2) Code Citation: 8 Ill. Adm. Code 80

3) Section numbers: Adopted Action:

80.10 Amendment
80.20 Amendment
80.110 Amendment

4) Statutory Authority: Illinois Bovine Tuberculosis Eradication Act (Ill. Rev. Stat. 1987, ch. 8, par. 87.5, 92, 93, 94, 95, 98.6 and 104)

5) Effective Date of Amendments: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notice(s) of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19196
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

We are updating references to the Bovine Tuberculosis Eradication Uniform Methods and Rules, which has been republished as of March 31, 1988. These amendments will not impose any additional compliance requirements on cattle.

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We are updating a reference to the Illinois Revised Statutes by citing the latest edition which is the 1987 edition. It is easier for the public to locate the Act in a library when the current version is cited. This amendment will not impose any additional requirements on the regulated public.

16) Information and questions regarding this adopted amendment

shall be directed to:

Name: Donna Garman

Address: Division of Administrative Services, Illinois

Department of Agriculture, Agriculture Building, State

Fairgrounds, Springfield, Illinois 62794-9281

Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER 1: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT
AND POULTRY INSPECTION ACT REGULATIONS)

PART 80

ILLINOIS BOVINE TUBERCULOSIS ERADICATION ACT

Section	
80.10	Requirements for Illinois Tuberculosis-Free Accredited Herd
80.20	When Indemnity Will Be Paid on Tests
80.30	Herds Quarantined Because of Suspected Tuberculosis Infection
80.40	Identification Tags Not To Be Removed
80.50	Infected Herd Depopulation (Repealed)
80.60	Cattle for Immediate Slaughter (Repealed)
80.70	Feeding or Grazing Cattle (Repealed)
80.80	Female Cattle--Beef Breeds--18 Months and Over (Repealed)
80.90	Sale of Quarantined Feeding or Grazing Cattle (Repealed)
80.100	Release of Feeding or Grazing Cattle from Quarantine (Repealed)
80.110	Dairy or Beef Cattle or Steers
80.120	Tuberculin Tests

AUTHORITY: Implementing and authorized by the Illinois Bovine Tuberculosis Eradication Act (Ill. Rev. Stat. 1987, ch. 8, par. 87 et seq.).

SOURCE: Regulations Relating to Bovine Tuberculosis, filed January 17, 1972, effective January 27, 1972; filed June 21, 1976, effective July 1, 1976; filed December 29, 1976, effective January 8, 1977; amended at 2 Ill. Reg. 24, p. 1, effective June 15, 1978; codified at 5 Ill. Reg. 10455; amended at 7 Ill. Reg. 1742, effective January 28, 1983; amended at 8 Ill. Reg. 17809, effective October 1, 1984; amended at 9 Ill. Reg. 4503, effective March 22, 1985; amended at 9 Ill. Reg. 18432, effective November 19, 1985; emergency amendment at 11 Ill. Reg. 5326, effective March 13, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10183, effective May 15, 1987; amended at 12 Ill. Reg. 8295, effective May 2, 1988; amended at 13 Ill. Reg. 3676, effective March 13, 1989.

Section 80.10 Requirements for Illinois Tuberculosis-Free Accredited Herd

A cattle herd qualifies as a tuberculosis-free accredited herd when it meets the requirements of the Bovine Tuberculosis Eradication Act.

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cation Uniform Methods and Rules (March 31, 1988 January 4, 1982, with amendments through February 20, 1987) for such herds as approved by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176) and the United States Department of Agriculture, Animal and Plant Health Inspection Service, for the establishment and maintenance of a tuberculosis-free accredited herd of cattle. This incorporation by reference does not include any future amendments or editions beyond the date specified.

(Source: Amended at 13 Ill. Reg. 3676, effective March 13, 1989)

Section 80.20 When Indemnity Will Be Paid on Tests

Indemnity will be paid to owners of dairy and breeding cattle which react to the tuberculin test administered by accredited veterinarians and are destroyed provided:

- a) The entire herd is tuberculin tested. Tuberculosis reactors found when there is not a complete herd test are not eligible for indemnity.
- b) Feeder cattle and steers are not eligible for indemnity except when an entire herd is depopulated due to tuberculosis infection.
- c) The appraisal is made by a regularly employed State or Federal veterinarian and subject to the requirements of Sections 6, 7, and 8 of the Illinois Bovine Tuberculosis Eradication Act (Ill. Rev. Stat. 1987 1983, ch. 8, pars. 92, 93, and 94). The appraisal value of the animal shall be based upon the breeding value of such animal at the moment of appraisal, taking into consideration the age, breed, health status, weight and market value at slaughter.

(Source: Amended at 13 Ill. Reg. 3676, effective March 13, 1989)

Section 80.110 Dairy or Beef Cattle or Steers

All dairy or beef cattle or steers being exhibited in the State of Illinois from Accredited Tuberculosis Free States as defined under the Bovine Tuberculosis Eradication Uniform Methods and Rules (March 31, 1988 January 4, 1982, with amendments through February 20, 1987) as approved by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue,

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Richmond, Virginia 23228-0176) and the United States Department of Agriculture shall be accompanied by an official certificate of health issued by an accredited veterinarian. This incorporation by reference does not include any future amendments or editions beyond the date specified. No tuberculin test is required for cattle originating from Accredited Tuberculosis Free States. Cattle being exhibited in Illinois from a state that is not Tuberculosis Accredited Free shall be accompanied by an official certificate of health issued by an accredited veterinarian showing:

- a) Cattle originated from an accredited tuberculosis-free herd. Accredited herd number and date of last test shall be recorded on the certificate and the cattle shall be identified by ear tag number, tattoo number or registration name and number, OR
- b) Cattle originating out-of-state were negative to a tuberculin test conducted within 60 days prior to exhibition, OR
- c) If Illinois is not an Accredited Tuberculosis Free State, cattle originating in Illinois were negative to a tuberculin test conducted within 90 days prior to exhibition.

(Source: Amended at 13 Ill. Reg. 3676, effective March 13, 1989)

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NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Illinois Dead Animal Disposal Act
- 2) Code Citation: 8 Ill. Adm. Code 90
- 3) Section numbers: Adopted Action:
- | | |
|--------|---------|
| 90.10 | Amended |
| 90.110 | Amended |
- 4) Statutory Authority: Illinois Dead Animal Disposal Act (Ill. Rev. Stat. 1987, ch. 8, pars. 156, 160 and 165).
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notice of Proposal Published in Illinois Register:
- November 18, 1988, 12 Ill. Reg. 19201
(issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version:

Section 90.110(b)(7), added "persons should contact the Illinois Environmental Protection Agency for cites to the requirements."

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments:

We are updating references to the Illinois Revised Statutes by citing the latest edition which is the 1987 edition. This change will eliminate the need to keep old Illinois Revised Statutes on file in the agency. Also, it is easier for the public to locate the rule in a library when the current version is cited. These amendments will not impose any additional requirements.

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We are adding a statement that disposal by burial must be in compliance with the Illinois Environmental Protection Act to eliminate possible confusion by the public that compliance with Agriculture's rules does not mean that they do not have to comply with EPA requirements. This clarification was requested by the Illinois Environmental Protection Agency. The disposal by burning requirements already make reference to the Environmental Protection Act, and this amendment will make the language in the two subsections consistent. The amendment does not add any additional requirements because the public must comply with the Illinois Environmental Protection Act requirements anyway.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
 CHAPTER I: DEPARTMENT OF AGRICULTURE
 SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT
 AND POULTRY INSPECTION ACT REGULATIONS)

PART 90
 ILLINOIS DEAD ANIMAL DISPOSAL ACT

Section	
90.10	Plant Facilities
90.20	Plant Premises
90.30	Annual Truck Permits (Repealed)
90.40	Truck Operator's Records (Repealed)
90.50	Odors and Insects Shall Be Controlled
90.60	Salmonella Control For Renderers and Blenders
90.70	Inspection of Premise (Repealed)
90.80	Identification of Receptacles
90.90	Records (Repealed)
90.100	Transportation and Transactions (Repealed)
90.110	On-The-Farm Disposal
90.120	Collection Center
90.130	Disposal By Collection Center of Unusable Materials

AUTHORITY: Implementing and authorized by the Illinois Dead Animal Disposal Act (Ill. Rev. Stat. 1987 4983, ch. 8, par. 149.1 et seq.).

SOURCE: Regulations Relating to the Disposal of Dead Animals, filed January 17, 1972, effective January 27, 1972; filed December 6, 1972, effective December 16, 1972; codified at 5 Ill. Reg. 10458; amended at 7 Ill. Reg. 852, effective January 10, 1983; amended at 8 Ill. Reg. 5937, effective April 23, 1984; amended at 13 Ill. Reg. 3681, effective March 13, 1989.

Section 90.10 Plant Facilities

If, upon first inspection, the facility of the renderer, blender or collection center fails to meet the requirements set forth in Section 10 of the Illinois Dead Animal Disposal Act (Ill. Rev. Stat. 1987 4983, ch. 8, par. 158) and the rules of this Part, the applicant shall be granted sixty (60) days in which to correct the deficiencies specified. At the end of the period for correcting the deficiencies, another inspection shall be made. If upon inspection the deficiencies have been corrected, a license shall be issued.

(Source: Amended at 13 Ill. Reg. 3681, effective March 13, 1989)

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Section 90.110 On-The-Farm Disposal

Persons disposing of animals, poultry, fish, or parts of bodies thereof, other than to a licensed renderer, shall comply with the following:

a) Disposal by Burning

- 1) No open burning will be permitted.
- 2) Any disposal by burning must be performed with an incinerator that is in compliance with the Illinois Environmental Protection Act (Ill. Rev. Stat. 1987 4983, ch. 111 1/2, par. 1001 et seq.).

b) Disposal by Burying

- 1) Location shall be in an area where runoff will not contaminate water supplies.
- 2) Depth shall be sufficient to allow at least a six-inch compacted soil cover over the uppermost part of the carcass.
- 3) The abdominal cavity of large carcasses shall be punctured to allow escape of putrefactive gasses.
- 4) Lime or other chemical agent shall not be used to prevent decomposition.
- 5) Precautions shall be taken at the site of burial necessary to prevent any disturbance by animal or mechanical means.
- 6) If a disposal pit is employed for daily or routine deposits, there shall be a minimum six-inch compacted soil cover after each deposition.
- 7) Any disposal by burial shall also be in compliance with the Illinois Environmental Protection Act. Persons should contact the Illinois Environmental Protection Agency for cites to the requirements.

(Source: Amended at 13 Ill. Reg. 3681, effective March 13, 1989)

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NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Illinois Pseudorabies Control Act

2) Code Citation: 8 Ill. Adm. Code 115

3) Section numbers: Adopted Action:
115.10 Amended
115.20 Amended

4) Statutory Authority: Illinois Pseudorabies Control Act (Ill. Rev. Stat. 1987, ch. 8, pars. 805 and 809).

5) Effective Date of Amendments: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notices of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19218
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:
Added "Illinois" in the title to the Part Heading in the Notice.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

We are updating references to the Code of Federal Rules and to the Illinois Revised Statutes by citing the latest edition. This change will eliminate the need to keep old CFR's on file in the agency and carried by our inspection personnel. Also, it is easier for the public to locate the Act and rules in a library when the current versions are cited. These amendments will not impose any additional requirements.

We are adding another method which a swine producer may use to obtain release of a pseudorabies quarantine. Pseudorabies quarantines will be released when a negative test has been made on the complete breeding herd at least 45 days

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after the last known exposed swine have left the premises. With the addition of this test, there will be three methods available from which to choose for releasing quarantine.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

Department of Agriculture (9 CFR 85.1, 1988 +1987) and conducted in an approved laboratory.

(Source: Amended at 13 Ill. Reg. 3685, effective March 13, 1989.)

PART 115

ILLINOIS PSEUDORABIES CONTROL ACT

Section 115.20 Pseudorabies Quarantines

Section

- 115.10 Definitions
115.15 Incorporation by Reference
115.20 Pseudorabies Quarantines
115.30 General Requirements for Qualified Pseudorabies Negative, Controlled Vaccinated and Feeder Swine Pseudorabies Monitored Herds
115.40 Requirements for Establishing and Maintaining Qualified Pseudorabies Negative Herds
115.50 Requirements for Establishing and Maintaining Pseudorabies Controlled Vaccinated Swine Herds
115.60 Requirements for Establishing and Maintaining Feeder Swine Pseudorabies Monitored Herds
115.70 Pseudorabies Test Requirements for Intrastate Movement
115.80 Pseudorabies Testing of Feeder Swine
115.90 Feeder Swine
115.100 Breeding Animals Consigned to Slaughter

AUTHORITY: Implementing and authorized by the Illinois Pseudorabies Control Act (Ill. Rev. Stat. 1987, 1985, ch. 8, par. 801 et seq. 7 as amended by P.A. 85-0165, effective January 1, 1988 and P.A. 85-0171, effective January 1, 1988).

SOURCE: Adopted at 12 Ill. Reg. 3394, effective January 22, 1988; amended at 13 Ill. Reg. 3685, effective March 13, 1989.

Section 115.10 Definitions

The definitions for this Part shall be as set forth in the general definitions Section (8 Ill. Adm. Code 20.1). Also, the following definitions shall apply to this Part:

"Act" means the Illinois Pseudorabies Control Act (Ill. Rev. Stat. 1987, 1985, ch. 8, par. 801 et seq. 7 as amended by P.A. 85-0165, effective January 1, 1988 and P.A. 85-0171, effective January 1, 1988).

"Official test" or "test" means any serologic test for the detection of pseudorabies (serum neutralization (SN), for example) as approved by the United States

- a) When pseudorabies has been diagnosed in a swine herd, such herd shall be placed under quarantine when:

1) It has been determined that there have been multiple swine deaths on the premises that are attributable to pseudorabies AND that swine are actually ill of a disease clinically diagnosed as pseudorabies; OR

2) Pseudorabies (Aujeszky's disease) has been confirmed by diagnosis by an approved laboratory; OR

3) One or more swine are positive to an official test for pseudorabies. Positive swine may be retested once. The results of the retest will be considered final.

- b) Quarantined animals shall not be sold, loaned or traded except for slaughter. Such swine may be shipped to any market, except those which release swine for breeding or feeding purposes. Examples of markets which shall not receive such swine for slaughter are livestock auction markets, other markets licensed as feeder swine dealers, or order buyers and other slaughter buyers releasing swine for breeding or feeding purposes.

- c) Pseudorabies quarantines shall be released when:

1) All swine on the premises have been shipped to slaughter, the premises have been cleaned and disinfected, and the premises have remained vacant for at least 30 days; OR

2) Two negative official pseudorabies tests at least 30 days apart have been obtained on a representative sample of the breeding swine in the herd 6 months of age and over not less than 45 days after the last positive animal has been shipped to slaughter. In herds of 35 animals or less, a representative sample is all or 10 animals, whichever is less. In herds of 36 to 299 animals, a representative sample is 30%

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or 30 animals, whichever is less. In herds of 300 animals or more, a representative sample is a minimum of 10%; OR -

3) A negative test has been made on the complete breeding herd at least 45 days after the last known exposed swine have left the premises.

4) The Department shall require additional herd tests prior to release of quarantine when epidemiologic evidence, such as, the presence of pseudorabies on neighboring farms or indications of reintroduction of infection into the herd is apparent.

(Source: Amended at 13 Ill. Reg. 3685, effective March 13, 1989)

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1) The Heading of the Part: Livestock Dealer Licensing

2) Code Citation: 68 Ill. Adm. Code 610

3) Section numbers: Adopted Action:

610.10	Amended
610.20	Amended
610.30	Amended
610.40	Amended
610.60	Amended

4) Statutory Authority: Illinois Livestock Dealer Licensing Act (Ill. Rev. Stat. 1987, ch. 111, pars. 415, and 420.1).

5) Effective Date of Amendments: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notice(s) of Proposal Published in Illinois Register:

November 18, 1988, 12 Ill. Reg. 19205
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In the Main Source Note, inserted at the beginning of the fifth citation "amended at", deleted "No." and abbreviated "page" as "p."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

We are updating a reference to the Illinois Revised Statutes by citing the latest edition which is the 1987 edition. This change will eliminate the need to keep old Illinois Revised Statutes on file in the agency. Also,

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it is easier for the public to locate the rule in a library when the current version is cited. This amendment will not impose any additional requirements.

The original intent of permitting livestock dealers to purchase untested breeding cattle was to provide relief for small cattle owners who may not have the facilities for testing cattle prior to sale. All livestock dealers should have facilities to test their cattle, and if the cattle are originating from a farm owned and/or operated by the livestock dealer, the cattle should be brucellosis tested. This change in the regulation will still provide relief for the small cattle owners, but require livestock dealers to test their cattle.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER II: DEPARTMENT OF AGRICULTURE

PART 610
LIVESTOCK DEALER LICENSING

Section	Definitions
610.5	Entry Requirements
610.10	Breeding Cattle Health Requirements
610.20	Swine Health Requirements
610.30	Prevention of Spread of Livestock Diseases
610.40	Feeder Cattle
610.50	Slaughter Animals
610.60	Care of Livestock (Repealed)
610.70	Inspection
610.80	Identification Not to be Removed or Altered
610.90	Compliance with Market Cattle Identification Program
610.100	Surety Bonds and Other Pledged Security Bonds (Repealed)
610.110	Cancellation of Escrow Agreements (Personal Bonds) (Repealed)
610.120	Director as Trustee on Surety Bonds (Repealed)
610.130	Dealer's Agent (Repealed)
610.140	

AUTHORITY: Implementing and authorized by the Illinois Livestock Dealer Licensing Act (Ill. Rev. Stat. 1987, 1983, ch. 111, par. 401 et seq.).

SOURCE: Rules and Regulations Relating to the Livestock Dealer Licensing Act, filed January 17, 1972, effective January 27, 1972; amended May 3, 1972, effective May 13, 1972; June 20, 1973, effective July 1, 1973; April 5, 1976, effective April 15, 1976; amended at 2 Ill. Reg. No. 34, p. page 166, effective August 24, 1978; codified at 5 Ill. Reg. 10573; amended at 8 Ill. Reg. 5973, effective April 23, 1984; amended at 13 Ill. Reg. 3690, effective March 13, 1989.

Section 610.10 Entry Requirements

All livestock imported into the State shall meet Illinois entry requirements as may be set forth in those Acts listed in Section 19.1 of the Illinois Livestock Dealer Licensing Act (Ill. Rev. Stat. 1987, 1983, ch. 111, par. 420.1). Livestock dealers shall submit to the Division, on Division Form M-106, weekly reports of all out-of-state livestock.

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(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

Section 610.20 Breeding Cattle Health Requirements

a) All Illinois breeding cattle, six months of age and over, purchased by a licensed livestock dealer shall comply with one of the following:

- 1) Be negative to a brucellosis test within 60 days prior to purchase; test valid for one change of ownership or premises, except that such cattle may change ownership or premises one or more times in the 14-day period immediately following the date of the negative test, or

- 2) Be officially calfhood vaccinated and under 24 months of age, or

- 3) Be consigned direct from farm of origin to a livestock auction market and shall meet the requirements of the Livestock Auction Market Law (Ill. Rev. Stat. 1987 4983, ch. 121 1/2, par. 208 et seq.) and rules pursuant thereto (8 Ill. Adm. Code 40.100 and 40.110), or

- 4) Be untested but subject to brucellosis test within 48 hours after purchase and prior to commingling with other cattle if originating directly from a farm owned and/or operated other than by a licensee.

b) All breeding cattle sold by the livestock dealer, except direct to slaughter, shall be accompanied by a negative brucellosis blood test as provided in the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1987 4983, ch. 8, par. 134 et seq.), or shall be official calfhood vaccinates under 24 months of age.

c) Any cattle which, upon being tested for brucellosis for the livestock dealer, are classified as reactors or suspects shall automatically come under jurisdiction of the Illinois Bovine Brucellosis Eradication Act and rules (8 Ill. Adm. Code 75.70(b)).

(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

Section 610.30 Swine Health Requirements

(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

a) All Illinois breeding swine 4 months of age and over purchased by a licensed livestock dealer shall comply with the Illinois Swine Brucellosis Eradication Act (Ill. Rev. Stat. 1987 4983, ch. 8, par. 148f et seq.).

b) All breeding swine sold or purchased by a licensed livestock dealer through a livestock auction market shall comply with the requirements of the Livestock Auction Market Law and rules (8 Ill. Adm. Code 40.170(c)).

Section 610.40 Prevention of Spread of Livestock Diseases

All other species of breeding livestock, to wit: cattle and sheep, shall comply with the laws and rules as listed in Section 19.1 of the Illinois Livestock Dealer Licensing Act (Ill. Rev. Stat. 1987 4983, ch. 111, par. 402) relating to such livestock.

(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

Section 610.60 Slaughter Animals

Livestock dealers purchasing animals for slaughter purposes only shall:

- a) Keep slaughter animals isolated from all breeding animals.

b) Be sold within 10 days of purchase direct to a public stockyard or recognized slaughter establishment under State or Federal supervision. Slaughter cattle from farm of origin may be consigned direct to a recognized slaughter establishment, or public stockyard, or licensed livestock auction market under State or Federal supervision (except the type of cattle mentioned in 8 Ill. Adm. Code 610.60(c)).

c) Maintain records on each head of livestock purchased in accordance with Section 17 of the Illinois Livestock Dealer Licensing Act (Ill. Rev. Stat. 1987 4983, ch. 111, par. 417). Livestock purchased at less than prevailing market price, such as, "downer" cows, cows with epithelioma (cancer eye), crippled animals, and animals whose general physical appearance would indicate they are not healthy or are suffering from malnutrition shall

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be consigned directly to a recognized slaughtering establishment under State or Federal supervision.

(Source: Amended at 13 Ill. Reg. 3690, effective March 13, 1989)

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- 1) The Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Adopted Action:
125.60 Amended
125.80 Amended
- 4) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987, ch. 56 1/2, pars. 311 and 316)
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notice of Proposal Published in Illinois Register:
November 18, 1988, 12 Ill. Reg. 19211
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In the third paragraph of the Summary and Purpose Section, changed "\$1.40" to "\$1.60".
The Main Source Note, the title to Section 125.305 in the Table of Contents, and the Authority Section were updated to reflect peremptory rulemaking that was filed since this amendment was proposed.
In Section 125.80, changed the comma to a semi-colon in the title and deleted the proposed language in (c)(3); removed addition to title.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

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The rules are being amended to reference the latest printed edition of the Illinois Revised Statutes, which is the 1987 edition. This change is for the purpose of keeping references up to date.

The Director renamed the Division of Meat, Poultry and Livestock Inspection. The new name is the Division of Animal Industries. Further, the post office assigned a different zip code to the Department of Agriculture. The rules are amended to reflect these changes.

We are increasing the overtime charges by \$2.40 an hour and holiday charges by \$1.60 an hour. The proposed rate for overtime inspection is \$15 per hour and \$10 per hour for inspection performed on holidays. The U.S. Department of Agriculture has increased their overtime and holiday charges to \$24.68 per hour, which means the Illinois Department of Agriculture is still performing the same service at much less cost to the licensee. The present charges have been in effect since January, 1985. Since the licensee must request that the Department provide overtime and/or holiday meat and poultry inspection, any expense for overtime or holidays is at the option of the establishment.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building,
State Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112

The full text of the Proposed Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125
MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product

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125.280 Meat Definitions and Standards of Identity or Composition
 125.290 Transportation
 125.300 Special Services Relating to Meat and Other Products
 125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section
 125.310 Application of Inspection
 125.320 Facilities for Inspection
 125.330 Sanitation
 125.340 Operating Procedures
 125.350 Ante-Mortem Inspection
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts
 125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments
 125.380 Labeling and Containers
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections;
 Processing Requirements
 125.400 Definitions and Standards of Identity or Composition
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10

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Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amendment at 13 Ill. Reg. 3696, effective March 13, 1989.

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section 125.60 Administrative Hearings; Appeals

a) All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1001 et seq.) and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, contested cases, declaratory rulings and availability of Department files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act, Subpart B of the Department's Administrative Rules, and Section 19(F) of The Meat and Poultry Inspection Act.

b) Any appeal from a decision of an inspector shall be made either orally or in writing to the regional supervisor. Any appeal from a decision of a regional supervisor shall be made either orally or in writing to the Bureau

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Chief, Bureau of Meat and Poultry Inspection, Division of Animal Industries Meat, Poultry and Livestock Inspection, Department of Agriculture, Springfield, Illinois 62794-9281 62706 (217/782-6684 4944). The regional supervisor or the Bureau Chief shall respond to an appeal within 72 hours from the time the appeal is received or the appellant may proceed to the next higher level of appeal. Any appeal from a decision of the Bureau Chief shall be made in writing to the Superintendent, Division of Animal Industries Meat, Poultry and Livestock Inspection and an administrative hearing shall be held.

(Source: Amended at 13 Ill. Reg. 3696, effective March 13, 1989)

Section 125.80 Schedule of Operations; Overtime

- a) The Department incorporates by reference 9 CFR 307.4(a), 307.4(d), and 381.37(a) and (d) (1984). References to 9 CFR 307.6(b) and 381.39(b) in the incorporated language shall be interpreted to mean as set forth in this Section.
- b) The basic workweek and workday shall be those days and hours as on file and approved by the Department of Central Management Services in accordance with the Personnel Code (Ill. Rev. Stat. 1987 1983, ch. 127, par. 63b101 et seq.) and the rules for that Act (80 Ill. Adm. Code 303.300). The work schedule of the official establishment and any requests for changes in the work schedule shall be submitted in writing by the licensee to the regional supervisor. However, minor deviations (one hour or less) from the daily operating schedule shall be approved by the inspector if the request is received on the day before the change is to occur and the change is only for that particular day.

- c) Overtime charges for inspection services rendered shall be as follows:

- 1) For inspection on a Saturday, Sunday or on a workday at times other than the hours as set forth in the approved work schedule, the rate shall be \$15.00 \$12.60 per hour or any fraction of an hour.
- 2) For inspection on holidays, the rate shall be \$10.00 \$8.40 per hour or any fraction of an hour.

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- d) The overtime charge shall be for the actual time the inspector is performing the inspection service. Travel expenses and the minimum overtime that will be billed is as follows:

- 1) When an inspector has departed the official establishment after the completion of his/her regular workday and is recalled to perform inspection service, the minimum overtime that will be charged shall be two hours.
- 2) For inspection service rendered on Saturday, Sunday or on a holiday, the minimum overtime that will be charged is two hours.
- 3) When an inspector is required to return to the establishment after the completion of his/her regular work day or on a Saturday, Sunday or holiday, the official establishment will be billed for mileage charged by the inspector in accordance with Travel Regulations (80 Ill. Adm. Code 2800) in addition to the overtime charged.

(Source: Amended at 13 Ill. Reg. 3696, effective March 13, 1989)

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NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Public Grain Warehouse and Warehouse Receipts Act

2) Code Citation: 8 Ill. Adm. Code 505

3) Section numbers: Adopted Action:

505.10	Amended
505.20	Amended
505.25	Amended
505.240	Amended
505.280	Amended
505.310	Amended

4) Statutory Authority: The Public Grain Warehouse and Warehouse Receipts Act (Ill. Rev. Stat. 1987, ch. 114, pars. 214.3, 214.5, 214.8, 214.16, 214.18 and 214.27); Grain Insurance Act (Ill. Rev. Stat. 1987, ch. 114, par. 705); The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 40.23).

5) Effective Date of Amendments: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notices of Proposal Published in Illinois Register:

December 2, 1988, 12 Ill. Reg. 19806
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: In Section 505.280(c), last line, changed the colon to a period.

In paragraph three of the Description of the Subjects and Issues Involved in the Notice, fifth line, changed "of" to "in".

In Section 505.10, the definition of "Uniform Commercial Code," deleted the second period at the end.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

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14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

The Director renamed the Division of Agricultural Industry Regulation and the post office assigned a new zip code to the Department. The new name of the Division is Plant Industries and Consumer Services. The current zip code for the agency is stated. For convenience, the latest printed versions of the Illinois Revised Statutes and CFR are being adopted.

The information required to be submitted when the licensee is increasing or decreasing the licensed storage capacity is transferred from Section 505.20 to Section 505.25 because the section heading of Section 505.25 implies this information should appear in this section. The existing subsections in 505.25 are being renumbered because of this addition.

The Department is charged with determining the financial resources of grain warehousemen for the purposes of assuring financial deficiencies are collateralized and grain depositors are protected against losses. Inaccurate or incomplete recordkeeping can be a contributing factor when the warehouseman's grain inventory is not in balance with outstanding obligations, in which case the Department will require a bond or other security to be filed with the Department as required by Section 8 of the Act.

The last sentence of subsection (c) states: "Procedures for the collection, cancellation, control and distribution of surety bonds shall be as established in 8 Ill. Adm. Code 3." Section 505.320 of this Part and Sections 3.30 and 3.100 of the rules for the Civil Administrative Code (8 Ill. Adm. Code 3) establish 285 days as the number of days that can elapse from the end of the time period for which the security was posted for determining valid claims against the bond or posted security. Security which is posted with the Department is not released until the time period (285 days) has elapsed. Reference to this time period is being added for clarification.

Section 5 of the Illinois Grain Insurance Act was amended by P.A. 85-955 to require that when a grain warehouseman increases available storage capacity an assessment of \$0.0003 per bushel (minimum assessment of \$25) is due the Grain Insurance Fund; therefore, the language in Section 505.310 which states that no assessment on the increased storage space is due until such time as an assessment is imposed on all grain warehousemen is no longer accurate, and the language is being deleted.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281

DEPARTMENT OF AGRICULTURE

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Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
 CHAPTER I: DEPARTMENT OF AGRICULTURE
 SUBCHAPTER o: WAREHOUSE REGULATIONS

PART 505

PUBLIC GRAIN WAREHOUSE AND WAREHOUSE RECEIPTS ACT

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AUTHORITY: Implementing and authorized by The Public Grain Warehouse and Warehouse Receipts Act (Ill. Rev. Stat. 1987-1983, ch. 114, par. 214.1 et seq., as amended by P.R.A. 84-25, effective July 18, 1985) and Section 5 of The Illinois Grain Insurance Act (Ill. Rev. Stat. 1987-1983, ch. 114, par. 705); implementing Sections 40.17 and 40.23 and authorized by Sections 16 and 40.23 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987-1983, ch. 127, pars. 40.17, 40.23 and 16).

SOURCE: Adopted at 4 Ill. Reg. 27, p. 171, effective June 20, 1980; codified at 5 Ill. Reg. 10556; amended at 8 Ill. Reg. 859, effective January 9, 1984; amended at 8 Ill. Reg. 14216, effective July 30, 1984; amended at 10 Ill. Reg. 7675, effective April 28, 1986; amended at 13 Ill. Reg. 3703, effective March 13, 1989.

Section 505.10 Definitions

"Act" means The Public Grain Warehouse and Warehouse Receipts Act (Ill. Rev. Stat. 1987-1983, ch. 114, par.

- 214.1 et seq., as amended by P.R.A. 84-25, effective July 18, 1985).
"Bureau" means the Bureau of Warehouses of the Division of Plant Industries and Consumer Services, Agricultural Industry Regulation, Illinois Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281, 62708-4906; telephone 217/782-2895.

"Change of management" means when the person or entity exercising direct control of the assets ceases such function and another person or entity assumes such control.

"Licensed storage capacity" is the amount of storage space in all warehouse structures designated by the warehouseman for storing grain which is subject to the Act and as approved by the Department in accordance with the rules of this Part.

"Official Grain Standards" means the official grade designations as adopted by the United States Department of Agriculture pursuant to the United States Grain Standards Act (7 U.S.C.A. 71 et seq. (1988-1984)) and 7 CFR 810.201 et seq. (1988) redesignated at 45 FR 15872, May 11, 1980.

"Successor Agreement" is an agreement between the retiring warehouseman and the person who will fulfill the obligation of the retiree to the depositors in accordance with the Act.

"Uniform Commercial Code" refers to Ill. Rev. Stat. 1987-1983, ch. 26, par. 1-101 et seq.

(Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989.)

Section 505.20 Application for License

- a) All applications for a license to operate a warehouse shall be filed with the Bureau on forms provided by the Bureau. The application shall be signed by the applicant. An applicant for a warehouse license shall submit the following information:

- 1) Whether the application is for a Class 1 or Class 2 warehouse license.

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- 2) Whether applicant is an individual, association, corporation or partnership, and the name of the State where incorporated, if applicable.
 - 3) Fiscal closing date.
 - 4) Manager's name.
 - 5) Whether applicant is taking over a business that has been previously licensed. If so, the name of company being taken over.
 - 6) Legal name of the entity.
 - 7) Name of owner or owners if applicant is an individual or partnership. List of officers and registered agent if applicant is an association or a corporation.
 - 8) The address of each warehouse which the applicant proposes to operate under the license.
 - 9) A description of all grain storage structures that are owned, leased or used by the applicant for the storage of grain, including bin numbers, to be included under the license.
 - 10) The licensed storage capacity of the warehouse.
 - 11) Whether the warehouseman will store grain only for others or for both himself/herself and others.
- b) An applicant for a warehouse license shall submit the following:
- 1) a certificate of authority to do business in the State of Illinois or a copy of the Articles of Incorporation if the applicant is registered as an Illinois corporation;
 - 2) a financial statement, unless exempted by Section 3 of the Act;
 - 3) a certificate indicating that insurance coverage has been obtained (see Section 505.330);
 - 4) a copy of the proposed schedule of rates to be charged (see Section 505.360);

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- 5) post bond or other security as required by Section 505.280;
 - 6) a fee as set forth in Section 5 of the Act;
 - 7) a copy of the successor's agreement, if applicable;
 - 8) a copy of the lease agreement(s), if applicable;
 - 9) qualifications of the operator(s), such as, whether the operator is bonded, grain warehousing and/or grain industry experience, brief description of duties the operator will perform, and business references; and
 - 10) a copy of the receipt that indicates the name of the business has been registered with the county clerk in accordance with "AN ACT in relation to the use of an assumed name in the conduct or transaction of business in this state" (Ill. Rev. Stat. 1987 1983, ch. 96, par. 4 et seq.), if applicable.
- c) Prior to increasing or decreasing the licensed storage capacity, the licensee shall submit an application to amend the licensed storage capacity and provide the following:
- 1) The legal name and address of the entity;
 - 2) Description of each storage structure that is being added to or removed from the licensed storage capacity;
 - 3) The storage capacity of each warehouse structure proposed to be added or deleted;
 - 4) A certificate indicating that insurance coverage has been obtained on all space added to the licensed storage capacity; and
 - 5) A fee as set forth in Section 5 of the Act.
- (Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989)

Section 505.25 Issuing License; Approving Amended Licensed Storage Capacity; Warehouse Facility Requirements

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a) The Department shall issue a license or approve the application to amend the licensed storage capacity provided all of the licensing requirements as set forth in the Act and the rules of this Part have been met and provided the warehouse meets the following requirements:

- 1) a) The grain storage structures are owned or leased by the applicant/warehouseman.
- 2) b) Grain is protected from weather elements (i.e., a floor of concrete, asphalt, wood or metal).
- 3) c) Each grain storage structure is covered by a permanent, waterproof roof.
- 4) d) The grain storage structure has rigid sidewalls (e.g., concrete, wood, or metal).
- 5) e) Each grain storage structure shall meet the requirements of Section 9 of the Act.
- 6) f) All grain storage structures that are connected by legs, pipes, belts or other fixed devices which transport grain shall be included in the licensed space.

b) Prior to increasing or decreasing the licensed storage capacity, the licensee shall submit an application to amend the licensed storage capacity and provide the following:

- 1) The legal name and address of the entity;
- 2) Description of each storage structure that is being added to or removed from the licensed storage capacity;
- 3) The storage capacity of each warehouse structure proposed to be added or deleted;
- 4) A certificate indicating that insurance coverage has been obtained on all space added to the licensed storage capacity; and
- 5) A fee as set forth in Section 5 of the Act.

(Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989)

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Section 505.240 Settlement Sheets

Settlement sheets shall be prenumbered by the printer. The warehouseman shall use settlement sheets in numerical sequence, and account for all settlement sheets. Settlement sheets shall contain evidence of the method of settlement, such as check number, warehouse receipt number, or other evidence of settlement. Settlement sheets, both open and closed, shall be filed in a manner to be readily available for examination purposes, such as, alphabetical or numerical.

(Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989)

Section 505.280 Initial License Bonding Requirements; Initial and Continuing Bonding Requirements for The Illinois Grain Insurance Act

a) All of the licensed storage capacity of the warehouseman shall be bonded. The initial license bonding requirements for the purposes of this Act and for the purposes of Section 5 of The Illinois Grain Insurance Act (Ill. Rev. Stat. 1987 1983, ch. 114, par. 705) shall be as follows:

- 1) The minimum net worth in accordance with Financial Accounting Standards (Financial Accounting Standards Board, High Ridge Park, Stamford, Connecticut 06905, June 1, 1981; Library of Congress Catalog No. 81-66828) to qualify for a warehouse license shall be as set forth in Section 3 of the Act.
- 2) The minimum bond for a Class 1 warehouseman shall be 15 cents per bushel of the total licensed storage capacity or \$10,000, whichever is greater. The minimum bond for a Class 2 warehouseman shall be 25 cents per bushel of the total licensed storage capacity or \$10,000, whichever is greater.
- 3) In addition, the bond and net worth of a warehouseman shall equal at least 35 cents a bushel on the first one million bushels of licensed storage capacity and at least 30 cents a bushel on all licensed storage capacity over one million bushels. In the case of a deficiency in meeting this requirement, the Department shall require a bond or other security.

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ty in an amount at least equal to the deficiency to be filed with the Bureau.

- b) If the applicant has paid the fee as required by Section 5 of The Illinois Grain Insurance Act, the applicant shall be considered as having met the initial license bonding requirements of this Act, and the initial bond shall be waived.

- c) When a warehouseman cannot effect proper adjustments by grade, or the warehouseman's inventory is not in balance with outstanding obligations for any reason, including but not limited to inaccurate or incomplete records, the Department may require a bond or other security as provided for in Section 8 of the Act to be filed with the Department in an amount equal to the current value of the grain that is over-obligated or \$10,000, whichever is greater. In determining whether a bond or other security shall be posted, the Department shall consider net worth of the warehouseman, the total licensed storage capacity, previous violations of the warehouseman, accuracy of the warehouseman's records, length of time the warehouseman was over-obligated, and the amount of grain that is over-obligated. In determining the current value of the over obligation, the Department shall use the current cash bid for the commodity on the day the examination commenced which revealed the over obligation. The additional bond or security shall be released when an examination by the Department indicates there has been no reoccurrence of the violation, and in no case, shall the additional bond or security be released in less than one year and 285 days from the date of posting such bond or security with the Department. The bond shall contain the same terminology as the bond shown as Illustration A of this Part. Procedures for the collection, cancellation, control and distribution of surety bonds shall be as established in 8 Ill. Adm. Code 3.4 Subpart A.

(Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989)

Section 505.310 Financial Requirements for Maintaining a License

- a) A Class 1 warehouseman shall:

- 1) maintain a minimum net worth in accordance with Financial Accounting Standards (Financial Accounting

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Standards Board, High Ridge Park, Stamford, Connecticut 06905, June 1, 1981; Library of Congress Catalog No. 81-66828) as set forth in Section 3 of the Act; and

- 2) maintain a bond and net worth of at least 35 cents per bushel of licensed storage capacity for the first one million bushels and 30 cents per bushel of licensed storage capacity for all capacity over one million bushels.

- b) A Class 2 warehouseman shall:

- 1) maintain a minimum net worth in accordance with Financial Accounting Standards (Financial Accounting Standards Board, High Ridge Park, Stamford, Connecticut 06905, June 1, 1981; Library of Congress Catalog No. 81-66828) as set forth in Section 3 of the Act; and

- 2) maintain a bond and net worth of at least 35 cents per bushel of licensed storage capacity.

- c) If the warehouseman has paid the assessment as required by The Illinois Grain Insurance Act, the bonding requirements of this Act shall be considered as having been met and the bond shall be waived until the next assessment is due. Any increase in licensed storage space between assessments shall not be subject to the assessment until the next assessment is due as required by The Illinois Grain Insurance Act.

(Source: Amended at 13 Ill. Reg. 3703, effective March 13, 1989)

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- 1) The Heading of the Part: Swine Disease Control and Eradication Act
- 2) Code Citation: 8 Ill. Adm. Code 105
- 3) Section numbers:

105.5	<u>Adopted Action:</u>
105.10	Amended
105.30	Amended
- 4) Statutory Authority: Illinois Swine Disease Control and Eradication Act (Ill. Rev. Stat. 1987, ch. 8, pars. 504, 511, 515); Illinois Swine Brucellosis Eradication Act (Ill. Rev. Stat. 1987, ch. 8, pars. 148f.7, 148i, 148j); and Illinois Pseudorabies Control Act (Ill. Rev. Stat., ch. 8, pars. 805 and 807).
- 5) Effective Date of Amendments: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notices of Proposal Published in Illinois Register:
December 9, 1988, 12 Ill. Reg. 20309
(issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In the Statutory Authority Section of the Notice, added "ch." before "8" in the fourth line and deleted the duplicate "807".
Section 105.30(b)(6), in line 5, changed "validate" to "validated" and in line twelve added a second closing").
Section 105.30(b)(7), line 20, deleted "or portion of the state".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None Required
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:
We are updating references to the latest printed version of

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- the Illinois Revised Statutes for ease in locating the document.
- Due to the length of time and amount of testing necessary for a state to achieve validated brucellosis-free or Class A/Stage IV or V pseudorabies status, testing for entry into Illinois is not necessary and causes a hardship on the person who is selling swine to Illinois residents. In the case of Class B status, the state must have been in compliance with Class B pseudorabies standards for at least one year before the import testing requirement will be waived. A state may be classified as Class B simply by initiating a pseudorabies program. The one year period will assure that adequate testing for pseudorabies has been conducted in that state.
- 16) Information and questions regarding this adopted amendment shall be directed to:
Name: Donna Garman
Address: Division of Administrative Services, Illinois
Department of Agriculture, Agriculture Building, State
Fairgrounds, Springfield, Illinois 62794-9281
Telephone: (217) 785-0112
- The full text of Adopted Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS
 CHAPTER I: DEPARTMENT OF AGRICULTURE
 SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
 (EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 105
 SWINE DISEASE CONTROL AND ERADICATION ACT

- Section
- 105.5 Definitions
 - 105.10 Swine Entering Illinois for Feeding Purposes Only
 - 105.20 Quarantine of Imported Feeder Swine
 - 105.30 Swine Entering Illinois for Breeding Purposes
 - 105.40 Pseudorabies (Aujeszky's Disease) in Swine (Repealed)
 - 105.41 General Requirements for Qualified Pseudorabies Negative, Controlled Vaccinated and Feeder Swine Pseudorabies Monitored Herds (Repealed)
 - 105.42 Requirements for Establishing and Maintaining Qualified Pseudorabies Negative Herds (Repealed)
 - 105.44 Requirements for Establishing and Maintaining Pseudorabies Controlled Vaccinated Swine Herds (Repealed)
 - 105.46 Requirements for Establishing and Maintaining Feeder Swine Pseudorabies Monitored Herds (Repealed)
 - 105.50 Official Pseudorabies Test (Repealed)
 - 105.60 Pseudorabies Test Requirements for Intrastate Movement (Repealed)
 - 105.70 Pseudorabies Testing of Feeder Swine (Repealed)
 - 105.80 Feeder Swine (Repealed)

AUTHORITY: Implementing and authorized by the Illinois Swine Disease Control and Eradication Act (Ill. Rev. Stat. 1987 1985, ch. 8, par. 501 et seq. as amended by P.A. 85-0165, effective January 1, 1988 and P.A. 85-0171, effective January 1, 1988); the Illinois Pseudorabies Control Act (Ill. Rev. Stat. 1987, ch. 8, par. 801 et seq.) and the Illinois Swine Brucellosis Eradication Act (Ill. Rev. Stat. 1987 1985, ch. 8, par. 148f et seq.).

SOURCE: Rules and Regulations Relating to the Illinois Swine Disease Control and Eradication Act, filed February 24, 1975, effective March 6, 1975; 2 Ill. Reg. 24, p. 31, effective June 15, 1978; 2 Ill. Reg. 46, p. 10, effective November 11, 1978; 3 Ill. Reg. 33, p. 341, effective January 1, 1980; 5 Ill. Reg. 3, p. 745, effective January 2, 1981; 5 Ill. Reg. 45, p. 12100, effective October 27, 1981; codified at 5 Ill. Reg. 10461; 5 Ill. Reg. 13619, effective December 4, 1981; amended at 8 Ill. Reg. 5998, effective April 23, 1984; amended at 9 Ill. Reg. 2236, effective February 15, 1985; amended at 9 Ill. Reg. 18435, effective November 19, 1985; amended at 10 Ill. Reg. 9758, effective May 21,

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1986; amended at 11 Ill. Reg. 10187, effective May 15, 1987; amended at 11 Ill. Reg. 10538, effective May 21, 1987; amended at 12 Ill. Reg. 3440, effective January 22, 1988; amended at 13 Ill. Reg. 3715, effective March 13, 1989.

Section 105.5 Definitions

The definitions for this Part shall be as set forth in the general definitions Section (8 Ill. Adm. Code 20.1). Also, the following definitions shall apply to this Part:

"Act" means the Illinois Swine Disease Control and Eradication Act (Ill. Rev. Stat. 1987 1985, ch. 8, par. 501 et seq. as amended by P.A. 85-0165, effective January 1, 1988 and P.A. 85-0171, effective January 1, 1988).

(Source: Amended at 13 Ill. Reg. 3715, effective March 13, 1989.)

Section 105.10 Swine Entering Illinois for Feeding Purposes Only

a) Feeder swine may enter Illinois provided they are identified by an ear tag in the right ear showing state of origin and accompanied by a permit from the Division and an official health certificate.

b) Official health certificate shall:

- 1) Be issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Agriculture;
- 2) Be approved by the Animal Health Official of state of origin;
- 3) Show that the feeder swine are free from visible evidence of any contagious, infectious, or communicable disease or exposure thereto;
- 4) Show that the feeder swine have not been fed raw garbage and are not from a quarantined herd and/or area;
- 5) List number and description of the feeder swine and ear tag series or location of ear tag records when pigs originate from cooperative feeder pig sales;

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- 6) Show that the swine originated from a herd in which a representative sample of the breeding herd has been tested and found negative for pseudorabies (8 Ill. Adm. Code 115.80).

c) Permits:

- 1) Permits to import feeder swine shall only be issued to:

A) An Illinois licensed feeder swine dealer;

B) A person importing pigs to feed on his own premises and not for resale other than to slaughter.

- 2) Applicant for permit shall furnish the following information to the Division:

A) Name and address of Illinois destination.

B) Name and address of consignor.

C) Number of swine in shipment.

- 3) Grounds for refusal to issue a permit are:

A) Violation of the Act or any rule of this Part.

B) If a person should be licensed under the Illinois Feeder Swine Dealer Licensing Act (Ill. Rev. Stat. 1987-1988, ch. 111, par. 201 et seq.) as amended by P.A. 85-0437, effective January 1, 1988, and his or her license is not in good standing with the Department.

C) Presence of a disease which might endanger the Illinois swine industry.

(Source: Amended at 13 Ill. Reg. 3715, effective March 13, 1989)

Section 105.30 Swine Entering Illinois for Breeding Purposes

- a) Swine for breeding purposes may enter Illinois provided they are accompanied by an official health certificate.
- b) Official health certificate shall:

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- 1) Be issued by an accredited veterinarian of the state of origin or by a veterinarian in the employ of the United States Department of Agriculture;
- 2) Be approved by the Animal Health Official of the state of origin;
- 3) Identify each animal by registration number, ear tag, tattoo, or ear notch approved by the respective breed registry;
- 4) Show the swine are free from visible evidence of contagious, infectious, or communicable diseases;
- 5) Show that the swine have not been fed raw garbage and are not from a quarantined herd and/or area;
- 6) Show any swine more than 4 months of age to be negative to an official test for brucellosis, conducted by an approved laboratory within 30 days prior to entry, OR that the swine originate from a validated brucellosis-free herd, with validated herd number and validation date listed on the health certificate, OR that the swine originate from a validated brucellosis-free area (Brucellosis Eradication Uniform Methods and Rules (July 1, 1986; as approved by the United States Animal Health Association, P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176)). Incorporation by reference does not include any amendments or editions beyond the date specified;

- 7) Show any swine to be negative to an official test for pseudorabies conducted by an approved laboratory within 30 days prior to entry OR that the swine originated from a qualified pseudorabies negative herd, with the qualified herd number and qualification date listed on the health certificate, OR that the swine originated from a state that has been classified as Class A or Class B in accordance with the Criteria for Low-Prevalence Pseudorabies Areas (1986; National Pseudorabies Control Board, 6414 Copps Avenue, #116, Madison, Wisconsin 53716) or classified as Stage IV or Stage V under the National Pseudorabies Program Standards as approved by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176). Incorporation by reference

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does not include any amendments or editions beyond the date specified. However, in the case of Class B classification, the pseudorabies program in the state shall have been in compliance with Class B standards for at least one year in order for the import testing requirement to be waived.

(Source: Amended at 13 Ill. Reg. 3715, effective March 13, 1989.)

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1) The Heading of the Part: Merit and Fitness

2) Code Citation: 80 Ill. Adm. Code 302

3) Section Numbers: Adopted Action:

302.800	Repealed, New Section
302.810	Repealed, New Section
302.820	Repealed, New Section
302.822	Repealed, New Section
302.824	Repealed, New Section
302.825	Repealed, New Section
302.830	Repealed, New Section
302.840	Repealed, New Section
302.841	Repealed
302.842	Repealed
302.846	Repealed, New Section
302.850	Repealed, New Section
302.860	Repealed, New Section
302.863	Repealed, New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 127, par. 63b108b19

5) Effective Date of Rule(s): March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rule contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: March 13, 1989

9) Notice of Proposal Published in Illinois Register:

October 7, 1988, 12 Ill. Reg. 15813

10) Has JCAR issued a Statement of Objections to these rules? No.

11) Differences between proposal and final version:

Deleted "or other pertinent factors" from Sections 302.846(a) and (b).

Amended Section 302.846(a)(2) to read as follows:

"If the Director or Chairperson of the Department, Board or Commission in which the position is located fails to notify the Director within 30 days, the Department will prepare documents necessary to terminate the incumbent, effective 60 days following the effective date the position

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becomes subject to term appointment. These documents will be sent to the Director or Chairperson of the Department, Board or Commission who must either sign the appropriate documents confirming the decision to terminate the incumbent or return the documents unsigned and notify the Department that the decision is to appoint the incumbent to the term position."

Added the following as the first sentence of Section 302.850: "An employee whose position is deemed subject or deemed not subject to Term Appointment under Section 302.810 will be notified of such decision by the Director of Central Management Services."

Modified Section 302.824 as follows:

- a) Any position which is reallocated, reclassified, or reevaluated to become subject to Term Appointments shall be declared vacant by the Director of the Department of Central Management Services who shall so advise the Director or Chairman of the Department, Board or Commission and notify the incumbent. The incumbent may directly petition the Director of Central Management Services for reconsideration of the decision pursuant to Section 302.850.
- b) The incumbent in the position selected shall be allowed to apply for the vacant position. The Director or Chairperson of the Department, Board or Commission in which such position is located within 30 days of the decision by the Director that the position is subject to Section 302.810 shall notify the Director and the incumbent employee in writing of the decision whether to appoint the employee to a Term Appointment in that position. . .

Amended Section 302.846(a) to add as the last two sentences: "The Director of Central Management Services shall so advise the Director or Chairman of the Department, Board or Commission and notify the incumbent. The incumbent may directly petition the Director of Central Management Services for reconsideration of the decision pursuant to Section 302.850."

Added the following as first sentence of Section 302.846(a)(1): "The incumbent in the position selected shall be allowed to apply for the position."

Changed the word "objective" in the definitions of "Major administrative responsibilities" and "policy-making position" in Section 302.800 to "objectives".

Changed the words "the" after "within" in the last sentence of Section 302.850 to "this".

In response to comments received from the Administrative Code Division, several statutory citations were added and minor editing changes made.

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12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
302.105	New Section	12 Ill. Reg. 10569
302.190	Amendment	13 Ill. Reg. 1639
302.200	Amendment	13 Ill. Reg. 1639
302.625	Amendment	13 Ill. Reg. 1639

15) Summary and Purpose of Rules:

Because of a recent court decision (Pflugmacher v. Cosentino) which held that the prior term appointment law (Ill. Rev. Stat. 1987, ch. 127, par. 63b108b18) is no longer in effect, the General Assembly has reenacted the statute. The new statute (P.A. 85-1152) ratifies and confirms previous appointments and does not change the substance of the prior statute. These rules are promulgated pursuant to P.A. 85-1152 and replace rules currently in effect.

There are approximately 900 State employees in term appointment positions. The salary range for these positions is \$31,000 to \$78,000 per year. Each of these employees can be reviewed every four years and can be terminated from their positions without regard to the civil service procedures which apply to most State employees.

16) Information and questions regarding this adopted rule shall be directed to:

Stephen W. Seiple, Chief Legal Counsel
720 Stratton Building
Springfield, Illinois 62706
217-782-9669

The full text of the Adopted Amendments begin on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

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AUTHORITY: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1987, ch. 127, par. 63b101 et seq.)

SOURCE: Filed May 29, 1975; amended at 2 Ill. Reg. 33, p. 24, effective September 1, 1978; amended at 3 Ill. Reg. 1, p. 63, effective January 1, 1979; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 1, p. 76, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 67, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended

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at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; amended at 7 Ill. Reg. 654, effective January 5, 1983; codified at 7 Ill. Reg. 13198; amended at 8 Ill. Reg. 7788, effective May 23, 1984; emergency amendment at 9 Ill. Reg. 241, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 7907, effective May 15, 1985; amended at 10 Ill. Reg. 13940, effective September 1, 1986; amended at 12 Ill. Reg. 5634, effective March 15, 1988; emergency amendments at 12 Ill. Reg. 16214, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. ³⁷²², effective March 13, 1989.

SUBPART L: TERM APPOINTMENTS

Section 302.800 Definition of Terms Definition of Terms

The term "employee" shall refer to any employee on the payroll as well as any employee on a leave of absence granted pursuant to Rules or whose name appears on a list maintained pursuant to Section 302.570.

The term "or equivalent" shall refer to non-merit compensation pay grades or rates which fall within the salary range included within Merit Compensation Grade 12 and above.

The term "Jurisdictions A, B, and C" shall mean jurisdictions A, B, and C of the Personnel Code specifically Sections 8a, 8b, and 8c.

The term "major administrative responsibilities" shall refer to a position under the Personnel Code.

that requires the incumbent to direct programs defined by statute, or agency, board or commission policy or;

that is responsible for the execution of policies or operating objective in one or more operating units within an agency, board or commission; or

which participates in the integrating of plans and projections or related organizational units and the scheduling of projected work programs of the agency, board or commission; and

that encompasses on a regular basis questions of allocation and determination of resources, program definition, interpretation and implementation, and accountability.

The term "Merit Compensation Grade 12" shall refer to any position in state service covered by 80 Ill. Adm. Code 310, Subpart E, of the State of Illinois; Department of Central Management Services Pay Plan; the Merit Compensation System; with a salary range of 12 or above.

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The term "negotiated rates" shall refer to these positions in State service described within Subpart B, Section 310.220 and appendices of the State of Illinois; Department of Central Management Services Pay Plan (80 Ill. Adm. Code 310).

The term "policy making" position shall mean a position under the Personnel Code directly responsible to a board, agency, commission or departmental director or assistant director; and

requiring participation in the determination of policy which fixes objective or states the principles to control action towards operating objectives, or toward the conduct of one or more administrative units next below the director or assistant director level; or

participates in the planning and programming of activities within the agency mandated by legislation or by the director or assistant director of the department, board or commission;

The term "prevailing rates" shall refer to these positions in State service described within 80 Ill. Adm. Code 310.210 of the State of Illinois; Department of Central Management Services Pay Plan.

The term "Professional position" shall mean a position which requires specialized, theoretical, or technical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge.

A "Term Appointment" shall mean an appointment to a state position made under Section 8b18 of the Personnel Code.

"Employee" shall refer to any employee on the payroll as well as any employee on a leave of absence granted pursuant to 80 Ill. Adm. Code 302 and 80 Ill. Adm. Code 303 or whose name appears on a list maintained pursuant to Section 302.570.

"Jurisdictions A, B, and C" shall mean jurisdictions A, B, and C as specified in Sections 8a, 8b, and 8c of the Personnel Code (Ill. Rev. Stat. 1987, ch. 127, pars. 63b108a, 63b108b, and 63b108c).

"Major administrative responsibilities" shall refer to a position under the Personnel Code:

that requires the incumbent to direct programs defined by statute, or agency, board or commission policy or;

that is responsible for the execution of policies or operating objectives in one or more operating units within an agency, board or commission; or

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which participates in the integrating of plans and projections of related organizational units and the scheduling of projected work programs of the agency, board or commission, and

that encompasses on a regular basis questions of allocation and determination of resources, program definition, interpretation and implementation, and accountability.

"Merit Compensation Grade 12" shall refer to any position in state service covered by 80 Ill. Adm. Code 310. Subpart E, of the State of Illinois, Department of Central Management Services Pay Plan, the Merit Compensation System, with a salary range of 12 or above.

"Negotiated rates" shall refer to those positions in State service described within Subpart B, Section 310.220 and appendices of the State of Illinois, Department of Central Management Services Pay Plan (80 Ill. Adm. Code 310).

"Or equivalent" shall refer to non-merit compensation pay grades or rates which fall within the salary range included within Merit Compensation Grade 12 and above.

"Policy-making" position shall mean a position under the Personnel Code directly responsible to a board, agency, commission or departmental director or assistant director, and

requiring participation in the determination of policy which fixes objectives or states the principles to control action toward operating objectives, or toward the conduct of one or more administrative units next below the director or assistant director level, or

participates in the planning and programming of activities within the agency mandated by legislation or by the director or assistant director of the department, board or commission.

"Prevailing rates" shall refer to those positions in State service described within 80 Ill. Adm. Code 310.210 of the State of Illinois, Department of Central Management Services Pay Plan.

"Professional position" shall mean a position which requires specialized, theoretical, or technical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge.

"Term Appointment" shall mean an appointment to a state position made under Section 8b19 of the Personnel Code (Ill. Rev. Stat. 1987, par. 63b108b19).

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(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.810 Positions-Subject-to-Term-Appointments Positions Subject to Term Appointments

All positions not subject to Section 4d(1), (2), (3) and (6) of the Personnel Code (Ill. Rev. Stat. 1987, pars. 63b104d(1), (2), (3) and (6)) on or above merit compensation grade 12 or its equivalent shall be subject to term appointments; except that all positions the duties and responsibilities of which are wholly professional but do not include policy-making or major administrative responsibilities and those positions which have either salaries at negotiated rates or salaries at negotiated rates and those positions which have either salaries at negotiated rates or salaries at negotiated rates and those positions which have either salaries at negotiated rates or salaries at negotiated rates shall be exempt from the provisions of the term appointment.

All positions not subject to Section 4d(1), (2), (3) and (6) of the Personnel Code (Ill. Rev. Stat. 1987, pars. 63b104d(1), (2), (3) and (6)) on or above merit compensation grade 12 or its equivalent shall be subject to term appointments; except that all positions the duties and responsibilities of which are wholly professional but do not include policy-making or major administrative responsibilities and those positions which have either salaries at negotiated rates or salaries at negotiated rates shall be exempt from the provisions of the term appointment.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.820 Appointment Appointment

An appointee to a position subject to term appointment shall be selected by the Director or Chairman of the Department, Board or Commission in which the position is located from the appropriate open competitive or competitive promotional eligible list. Such appointment shall be made for a four year term commencing on the date of the appointment.

a) An appointee to a position subject to term appointment shall be selected by the Director or Chairman of the Department, Board or Commission in which the position is located from the appropriate open competitive or competitive promotional eligible list. Such appointment shall be made for a four year term commencing on the date of the appointment.

b) All appointments to and renewals in term positions made before the effective date of P.A. 85-1152, effective July 29, 1988, amending the Personnel Code are ratified and confirmed.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

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Section 302.822 Appointees Under Term Appointments

Appointees under Term Appointments shall be subject to jurisdictions A, B, and C of the Personnel Code with all rights and obligations thereunder during the term of their appointment.

Appointees under Term Appointments shall be subject to jurisdictions A, B, and C of the Personnel Code with all rights and obligations thereunder during the term of their appointment.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989.)

Section 302.824 No Reallocation to Term Positions No Reallocation to Term Positions

a) Any position which is reallocated, reclassified, or reevaluated to become subject to Term Appointments shall be declared vacant by the Director or Chairman of the Department; Board or Commission who shall so advise the Director of the Department of Central Management Services.

b) The incumbent in the position selected shall be allowed to apply for the vacant position; if not selected, the individual shall be given a vacant position in the same agency in the same class as the position previously held; or be allowed a voluntary reduction; pursuant to Section 302.500; The provisions of 80 Ill. Adm. Code 301.20 and 301.30 shall apply.

a) Any position which is reallocated, reclassified, or reevaluated to become subject to Term Appointments shall be declared vacant by the Director of the Department of Central Management Services who shall so advise the Director or Chairman of the Department, Board or Commission and notify the incumbent. The incumbent may directly petition the Director of Central Management Services for reconsideration of the decision pursuant to Section 302.850.

b) The incumbent in the position selected shall be allowed to apply for the vacant position. The Director or Chairperson of the Department, Board or Commission in which such position is located within 30 days of the decision by the Director that the position is subject to Section 302.810 shall notify the Director and the incumbent employee in writing of the decision whether to appoint the employee to a Term Appointment in that position. If not selected, the individual shall be given a vacant position in the same agency in the same class as the position previously held, or be allowed a voluntary reduction, pursuant to Section 302.500. The provisions of 80 Ill. Adm. Code 301.20 and 301.30 shall apply.

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(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989.)

Section 302.825 Reemployment Rights to Term Appointment Reemployment Rights to Term Appointment

No employee with reemployment rights granted under Section 302.570 shall be recalled to a position under Term Appointment, unless the employee has previously been appointed to a four-year term; Said reemployment rights shall be limited to the term appointment position held at time of layoff.

No employee with reemployment rights granted under Section 302.570 shall be recalled to a position under Term Appointment, unless the employee has previously been appointed to a four year term. Said reemployment rights shall be limited to the term appointment position held at time of layoff.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989.)

Section 302.830 Expiration of Term Appointment Expiration of Term Appointment

a) A "Term Appointment" shall automatically terminate at the end of the fourth year after the date of the initial appointment unless the Term Appointment is renewed for another four-year term by the Director or Director or Chairman of the Department, Board or Commission.

b) Failure to renew a Term Appointment is not grievable or appealable to the Civil Service Commission.

a) A "Term Appointment" shall automatically terminate at the end of the fourth year after the date of the initial appointment unless the Term Appointment is renewed for another four year term by the Director or Chairman of the Department, Board or Commission.

b) The term of any person appointed to or renewed in a term position shall expire 4 years after the effective date of the appointment or renewal.

c) Failure to renew a Term Appointment is not grievable or appealable to the Civil Service Commission.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989.)

Section 302.840 Renewal Procedures Renewal Procedures

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- a) At least sixty (60) days prior to the termination of a Term Appointment the Director shall notify the Director or Chairman of the Department, Board or Commission and the employee that the incumbent's term automatically expires on the last calendar day preceding the fourth anniversary of the appointment date unless the Director or Chairman renews the Term Appointment. The Director or Chairman will notify the employee, in writing, at least 30 calendar days prior to the expiration of the term of the intention to renew or not to renew the appointment. A copy of said letter shall be sent to the Director of Central Management Services.
- b) The Director or Chairman shall advise the Director of Central Management Services in writing, whether the employee's term has been renewed or allowed to expire automatically. Failure to notify the Director of Central Management Services 30 days prior to the expiration of the appointment shall be deemed termination by the employing Director or Chairman.

- a) At least sixty (60) days prior to the termination of a Term Appointment the Director shall notify the Director or Chairman of the Department, Board or Commission and the employee that the incumbent's term automatically expires on the last calendar day preceding the fourth anniversary of the appointment date unless the Director or Chairman renews the "Term Appointment". The Director or Chairman will notify the employee, in writing, at least 30 calendar days prior to the expiration of the term of the intention to renew or not to renew the appointment. A copy of said letter shall be sent to the Director of Central Management Services.

- b) The Director or Chairman shall advise the Director of Central Management Services in writing, whether the employee's term has been renewed or allowed to expire automatically. Failure to notify the Director of Central Management Services 30 days prior to the expiration of the appointment shall be deemed termination by the employing Director or Chairman.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.841 Renewal Procedures for Incumbents on the Effective Date of Section 8b18 of the Personnel Code (Repealed)

- a) The Director of Central Management Services shall:
- 1) Conduct a lottery prior to February 1, 1990, at which time the total security number of all employees in pay grade M-6-12 or above as of January 1, 1990, and not otherwise excluded, shall be used in the random selection lottery process.

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- 2) On February 1, 1990 and on February 1 for each successive calendar year, supply to the Director or Chairman of each agency a list of randomly selected employees of that agency, board or commission whose employment is subject to renewal under the Term Appointment for that year.
- b) The lottery process shall:
 - 1) consist of a single lottery;
 - 2) encompass all eligible employees;
 - 3) be conducted for all agencies, boards and commissions subject to the lottery process; and
 - 4) consist of the following elements:
 - A) An identifier shall be produced for each of the affected employees;
 - B) The identifier shall consist of the employee's social security number and employing agency;
 - C) All identifiers shall be commingled;
 - D) Each identifier shall be randomly drawn and it will be assigned a number corresponding to its reference point in the total sequence. (i.e., the first identifier drawn will be assigned the number "1", the second identifier drawn will be assigned the number "2", and so on until all identifiers are drawn and assigned sequential numbers.)
 - E) Each identifier shall be posted to a master control sheet and an agency control sheet. The master sheet will include all agencies subject to the lottery process, with each agency's board or commission format divided into four quadrants representing the years 1990, 1991, 1992 and 1993.

- e) In the event that the total number of eligible employees for a particular agency's board or commission is not evenly divisible by four (4), the excess number shall be treated as follows:
- 1) excess of one (1) shall be included in the first quartile;
 - 2) excess of two (2) shall be included one each in the first and second quartile;

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- 3) excess-of-three-(3)-shall-be-included-one-each-in-the-first, second-and-third-quartile.
- d) An agency-with-fewer-than-four-employees-subject-to-Term-Appointments shall-be-subject-to-the-following-procedure:
- 1) An agency-with-three-(3)-eligible-employees-shall-have-one employee-in-each-of-the-first-three-quartiles.
 - 2) An agency-with-two-(2)-eligible-employees-shall-have-one employee-in-each-of-the-first-two-quartiles.
 - 3) An agency-with-one-eligible-employee-shall-subject-said-employee to-the-initial-selection-process.
- e) The-Director-of-the-Department-of-Central-Management-Services-shall advise-each-employee-of-the-results-of-the-drawing-within-ten-(10) days-of-the-lottery.
- f) The-Director-or-Chairman-will-notify-an-employee-of-the-decision-not to-renew-the-appointment-30-calendar-days-prior-to-the reappointment-date.--Notice-shall-be-given-the-employee-by certified-mail,-return-receipt-requested,-with-a-copy-of-said notice-to-be-sent-to-the-Director-of-Central-Management-Services.

(Source: Repealed at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.842 Effective Date of Reappointment or Termination (Repealed)

The-reappointment-date-for-an-incumbent-employee-subject-to-the-provisions of-Section-302.841-shall-be-60-days-from-February-1-of-the-current-year.--A Director-or-Chairman-shall-notify-the-Director-of-Central-Management Services-in-writing-of-the-decision-to-renew-or-not-renew-the-appointment-of such-incumbent-not-later-than-28-days-after-February-1-of-the-current year.--Failure-of-the-Director-or-Chairman-to-so-advise-the-Director-of-the Department-of-Central-Management-Services-shall-be-deemed-a-termination-of the-incumbent-from-the-position-effective-60-days-from-February-1-of-the current-year.

(Source: Repealed at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.846 Change-in-Position-Factors-Affecting-Term-Appointment Exclusion Change in Position Factors Affecting Term Appointment Exclusion

- a) Any-position-excluded-from-Term-Appointment-whose-status,-salary,-pay plan-assignment,-source-of-funding-or-other-pertinent-factor-is amended-to-cause-the-position-to-be-subject-to-Term-Appointment under-Section-302.810-shall-become-immediately-so-subject.

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- 1) The-Director-or-Chairperson-of-the-Department-Board-or Commission-in-which-such-position-is-located-within-30-days-of the-decision-by-the-Director-that-the-position-is-subject-to Section-302.810-shall-notify-the-Director-and-the-incumbent employee-in-writing-of-the-decision-whether-to-appoint-the employee-to-a-Term-Appointment-in-that-position.
- 2) Failure-to-notify-the-Director-and-the-incumbent-shall-be-deemed a-termination-of-the-incumbent-effective-60-days-following-the effective-date-the-position-becomes-subject-to-Term Appointment.
- 3) In-no-case-may-such-a-position-be-filled-by-other-than-the provisions-for-Term-Appointment-for-more-than-60-days following-the-effective-date-of-the-position-becomes-subject to-Term-Appointment.
- b) Any-term-position-whose-status,-salary,-pay-plan-assignment,-source of-funding-or-other-pertinent-factor-is-amended-to-cause-the position-to-become-excluded-from-Term-Appointment-under-Section 302.810-shall-cause-being-so-subject-on-the-effective-date-of-such amendment-and-any-incumbent-shall-be-continued-in-the-position under-Subsection-A, B-and-or-C-of-the-Personnel-Code-as appropriate.
- e) An-employee-whose-position-is-deemed-subject-or-deemed-not-subject-to Term-Appointment-under-Section-302.810-is-entitled-to-appeal-such decision-in-accordance-with-Section-302.850.
- a) Any position excluded from Term Appointment whose status, salary, pay plan assignment or source of funding is changed to cause the position to be subject to Term Appointment under Section 302.810 shall become immediately so subject. The Director or Chairman of Central Management Services shall so advise the Director or Chairman of the Department, Board or Commission and notify the incumbent. The incumbent may directly petition the Director of Central Management Services for reconsideration of the decision pursuant to Section 302.850.
- 1) The incumbent in the position selected shall be allowed to apply for the position. The Director or Chairperson of the Department, Board or Commission in which such position is located within 30 days of the decision by the Director that the position is subject to Section 302.810 shall notify the Director and the incumbent employee in writing of the decision whether to appoint the employee to a Term Appointment in that position.
- 2) If the Director or Chairperson of the Department, Board or Commission in which the position is located fails to notify the Director within 30 days, the Department will prepare documents

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necessary to terminate the incumbent, effective 60 days following the effective date the position becomes subject to term appointment. These documents will be sent to the Director or Chairperson of the Department, Board or Commission who must either sign the appropriate documents confirming the decision to terminate the incumbent or return the documents unsigned and notify the Department that the decision is to appoint the incumbent to the term position.

- 3) In no case may such a position be filled by other than the provisions for Term Appointment for more than 60 days following the effective date the position becomes subject to Term Appointment.

- b) Any position may be excluded from Term Appointment under Section 302.810 due to changes in: status, salary, pay plan assignment or source of funding as reported to the General Assembly. The exclusion shall become effective upon the date of the change and any incumbent shall be continued in the position under Jurisdiction A, B or C of the Personnel Code as appropriate.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

Section 302.850 Reconsideration-Request Reconsideration Request

Within five (5) working days of receipt of the notice of inclusion under or exclusion from the provisions for Term Appointment by the Director of Central Management Services under Section 302.810, such employee may directly petition the Director in writing for reconsideration of such decision. In the event a request for reconsideration is made, the Director shall designate a review officer to review and investigate the application of this part in the decision. The review officer shall submit findings to the Director for final determination. In any discussion or meeting chaired by the review officer, the employee shall be entitled to be present and may be accompanied or represented by any person. Notice of the final decision of the Director shall be served on the employee in person or by certified mail. Return receipt requested. To the employee's last address appearing in the personnel file within 15 calendar days of receipt of the employee's request for reconsideration. Failure by the Director to act within the period of time shall be deemed a denial of the request.

An employee whose position is deemed subject or deemed not subject to Term Appointment under Section 302.810 will be notified of such decision by the Director of Central Management Services. Within five (5) working days of receipt of the notice of inclusion under or exclusion from the provisions for Term Appointment by the Director of Central Management Services under Section 302.810, such employee may directly petition the Director in writing for

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

reconsideration of such decision. In the event a request for reconsideration is made, the Director shall designate a review officer to review and investigate the application of this part in the decision. The review officer shall submit findings to the Director for final determination. In any discussion or meeting chaired by the review officer, the employee shall be entitled to be present and may be accompanied or represented by any person. Notice of the final decision of the Director shall be served on the employee in person or by certified mail, return receipt requested, to the employee's last address appearing in the personnel file within 15 calendar days of receipt of the employee's request for reconsideration. Failure by the Director to act within this period of time shall be deemed a denial of the request.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989, for a maximum of 150 days)

Section 302.860 Renewal-Procedure for Incumbents Subject to Public Act 83-1369

- a) On January 1, 1985, and thereafter, any incumbent who holds probationary or certified status in a position in or above Merit Compensation Grade 12 or its equivalent and otherwise subject to term appointment as provided in Section 302.810 while such position is subject to paragraph (1), (2), (3), or (6) of Section 4d of the Personnel Code shall be subject to review and appointment for a term of four years unless such incumbent has received an appointment to that position in accordance with Section 302.820 of this part or whose appointment has been renewed in accordance with Section 302.840.

- b) The appointment date for an incumbent employee subject to the provisions of this Section 302.860 shall be April 1, 1985. A Director or Chairperson shall notify the Director of Central Management Services in writing of the decision to renew or not to renew the appointment of such incumbent not later than March 1, 1985. Failure of the Director or Chairperson to so advise the Director of Central Management Services shall be deemed a termination of the incumbent from the position effective March 31, 1985. (Ill. Rev. Stat. 1984 Supp., ch. 127, par. 63b108b18)

Any incumbent who has received an appointment or renewal and is holding probationary or certified status in a position in or above merit compensation grade 12 or its equivalent while such position is subject to Section 4d(1), (2), (3) or (6) of the Personnel Code shall be subject to review and appointment when his or her term expires. During the term of such appointment, Jurisdiction A, B and C shall apply to such incumbent.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 302.863 Renewal-of-Certified-or-Probationary-Incumbents-in-Exempted Positions
Renewal of Certified or Probationary Incumbents in Exempted Positions

Any employee holding a term appointment pursuant to this Subpart L whose position is declared exempt from jurisdiction B of the Personnel Code by the Illinois Civil Service Commission as provided in Section 4d(3) of the Personnel Code shall be continued in that position with probationary status in accordance with Section 302.150(e) or with certified status in accordance with Section 302.150(f) and such term appointment shall be subject to renewal in accordance with Section 302.840.

Any employee holding a term appointment pursuant to this Subpart L whose position is declared exempt from jurisdiction B of the Personnel Code by the Illinois Civil Service Commission as provided in Section 4d(3) of the Personnel Code shall be continued in that position with probationary status in accordance with Section 302.150(e) or with certified status in accordance with Section 302.150(f) and such term appointment shall be subject to renewal in accordance with Section 302.840.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 3722, effective March 13, 1989)

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED REPEALER

- 1) The Heading of this Part: PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION
- 2) Code Citation: 2 Ill. Adm. Code 5025
- 3) Section numbers:

5025.10	<u>Adopted Action:</u>
5025.210	Repealed
5025.220	Repealed
5025.230	Repealed
Appendix A	Repealed
- 4) Statutory Authority: Section 8 of "AN ACT to provide for the management, operation, control and maintenance of the State Colleges and Universities system" (Ill. Rev. Stat. 1987, ch. 144, par. 1008).
- 5) Effective Date of Repealer: March 13, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: February 23, 1989
- 9) Notice of Proposal Published in Illinois Register: Not applicable
- 10) Has JCAR issued a Statement of Objections to these rules? Not applicable
- 11) Difference between proposal and final version: Not applicable
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable
- 13) Will these rules replace emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Repealer: These rules have been repealed because they have been replaced by updated rules which have been adopted and are being filed in accordance with Section 4.01 of The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1004.01) to describe

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

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the organization and the rulemaking and public information procedures of the Board of Governors of State Colleges and Universities. Said updated rules are filed elsewhere in this issue of the Illinois Register and are significantly different from these rules, so that it is not practical to revise these rules by amendment.

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER II: BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

PART 5025
PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

16) Information and questions regarding this adopted repealer shall be directed to:

SUBPART A: PUBLIC INFORMATION

Jack M. Bleicher
Vice Chancellor for Legal and Student Affairs
Board of Governors of State Colleges and Universities
2040 Hill Meadows Drive, Suite B
Springfield, IL 62702

Section 5025.10 Public Information

SUBPART C: ORGANIZATION

The full text of the Adopted Repealer begins on the next page:

Section 5025.210 Origin and General Description
5025.220 Location of Principal Office and Universities
5025.230 Organization Chart

APPENDIX A Organization Chart

AUTHORITY: Implementing Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1983, ch. 127, par. 1004.01) and authorized by Section 8 of "An Act to provide for the management, operation, control and maintenance of the State Colleges and Universities System (Ill. Rev. Stat. 1983, ch. 144, par. 1008.1).

SOURCE: Adopted at 3 Ill. Reg. 6, p. 25, effective January 29, 1979; codified at 8 Ill. Reg. 12935; Repealed at 13 Ill. Reg. 3742, effective March 13, 1989.

SUBPART A: PUBLIC INFORMATION

Section 5025.10 Public Information

All requests for information concerning Board of Governors of State Colleges and Universities operations, programs, and activities should be made to the Executive Director and Secretary of the Board of Governors at 544 Iles Park Place, Springfield, Illinois 62718.

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED REPEALER

SUBPART C: ORGANIZATION

Section 5025.210 Origin and General Description

The Board of Governors of State Colleges and Universities is a body corporate and politic created to operate, manage, control and maintain Eastern Illinois University, Western Illinois University, Chicago State University, Northeastern Illinois University, and Governors State University pursuant to Ill.Rev.Stat. 1977, ch. 144, par. 1001 et seq.

Section 5025.220 Location of Principal Office and Universities

The principal office of the Board of Governors is located at 544 Iles Park Place, Springfield, Illinois 62718, from which the Board governs the following Universities:

- a) Eastern Illinois University - Charleston, Illinois 61920.
- b) Western Illinois University - Macomb, Illinois 61455.
- c) Chicago State University - 95th Street at King Drive, Chicago, Illinois 60628.
- d) Northeastern Illinois University - Bryn Mawr at St. Louis Avenue, Chicago, Illinois 60625.
- e) Governors State University - University Park, Illinois 60466.

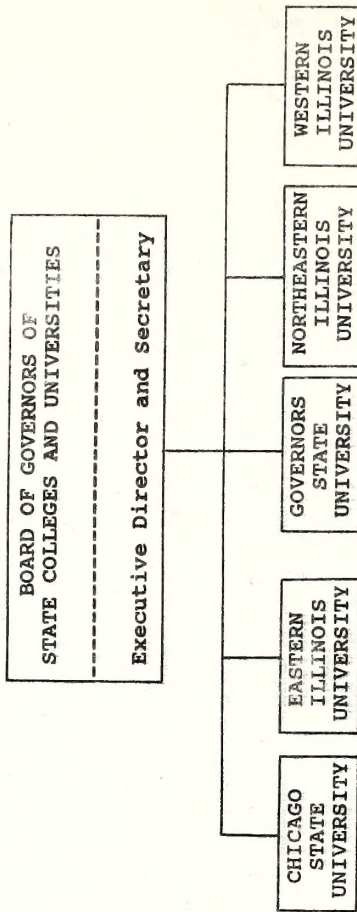
Section 5025.230 Organization Chart

The chart in Appendix A depicts the organizational structure of the Board of Governors of State Colleges and Universities.

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED REPEALER

Section 5025.APPENDIX A Organization Chart



BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

1) The Heading of this Part: PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

2) Code Citation: 2 Ill. Adm. Code 5025

3) Section numbers:

5025.110
5025.120
5025.130
5025.140
5025.150
5025.160
5025.170
5025.180
5025.210
5025.310
5025.320

Adopted Action:

New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section

4) Statutory Authority: Section 8 of "AN ACT to provide for the management, operation, control and maintenance of the State Colleges and Universities system" (Ill. Rev. Stat. 1987, ch. 144, par. 1008).

5) Effective Date of Rules: March 13, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporation by reference? No

8) Date Filed in Agency's Principal Office: February 23, 1989

9) Notice of Proposal Published in Illinois Register: Not applicable

10) Has JCAR issued a Statement of Objections to these rules? Not applicable

11) Difference between proposal and final version: Not applicable

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable

13) Will these rules replace emergency rules currently in effect? No

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules: These rules have been adopted and are being filed in accordance with Section 4.01 of The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1004.01) to describe the organization and the rulemaking and public information procedures of the Board of Governors of State Colleges and Universities. These rules replace outdated rules covering the same subjects, for which notice of repealer is filed elsewhere in this issue of the Illinois Register. These rules are significantly different from the rules that they replace, so that it is not practical to revise such rules by amendment.

16) Information and questions regarding these adopted rules shall be directed to:

Jack M. Bleicher
Vice Chancellor for Legal and Student Affairs
Board of Governors of State Colleges and Universities
2040 Hill Meadows Drive, Suite B
Springfield, IL 62702

The full text of the Adopted Rules begins on the next page:

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION

SUBTITLE F: EDUCATIONAL AGENCIES

CHAPTER II: BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

PART 5025

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section

- 5025.110 Purpose
- 5025.120 Freedom of Information Officers
- 5025.130 Form and Content of Requests
- 5025.140 Inspection and Copying of Records
- 5025.150 Fees
- 5025.160 Denial of Requests
- 5025.170 Response Time
- 5025.180 Appeals

SUBPART B: RULEMAKING

Section

- 5025.210 Rulemaking

SUBPART C: ORGANIZATION

Section

- 5025.310 Description
- 5025.320 Location of System Office and Universities

AUTHORITY: Implementing The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.) and Section 4.01 of The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1004.01) and authorized by Section 3(g) of The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 203(g) and Section 8 of "AN ACT to provide for the management, operation, control and maintenance of the State Colleges and Universities system" (Ill. Rev. Stat. 1987, ch. 144, par. 1008).

SOURCE: Adopted at 3 Ill.Reg. 6, p. 25, effective January 29, 1979; codified at 8 Ill.Reg. 12935; Part repealed, new Part adopted at 13 Ill.Reg. 3747, effective March 13, 1989

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

SUBPART A: PUBLIC INFORMATION

Section 5025.110 Purpose

These rules are established to implement the provisions of The Freedom of Information Act ("Act") (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.) and shall govern access to public records of the Board of Governors of State Colleges and Universities, its universities, the Cooperative Computer Center, and the Educational Computing Network.

Section 5025.120 Freedom of Information Officers

There shall be one Freedom of Information Officer at each of the Board of Governors universities and in the System Office.

- a) Requests for access to public records concerning the Board of Governors System, the Cooperative Computer Center, or the Educational Computing Network shall be addressed as follows:

Freedom of Information Act Request
Board of Governors of State Colleges and Universities
2040 Hill Meadows Drive, Suite B
Springfield, IL 62702

- b) Requests for access to public records concerning one of the Board of Governors universities shall be addressed as follows:

1) Freedom of Information Act Request
Chicago State University
Office of the President
95th Street at King Drive
Chicago, IL 60628

2) Freedom of Information Act Request
Eastern Illinois University
Office of the President
Charleston, IL 61920

3) Freedom of Information Act Request
Governors State University
Office of the President
University Park, IL 60466

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

- 4) Freedom of Information Act Request
Northeastern Illinois University
Office of the President
Bryn Mawr at St. Louis Avenue
Chicago, IL 60625
- 5) Freedom of Information Act Request
Western Illinois University
Office of the President
Macomb, IL 61455

Section 5025.130 Form and Content of Requests

- a) All requests under the Act for access to public records shall be in writing and shall contain the following information.

- 1) the name and address of the person submitting the request;
- 2) a specific description of the public records sought including, whenever possible, names, dates, and other identifying information.
- b) A request shall be "received" for purposes of Section 3. of the Act on the date on which it arrives in the office referred to above. Failure to submit the request to the appropriate address may delay its receipt.

Section 5025.140 Inspection and Copying of Records

- a) Inspection of public records which are required by the Act to be made available for public inspection shall occur under the supervision of the Freedom of Information Officer in the place where the records are kept or the office of the Freedom of Information Officer during regular office hours when the records are not being used by persons performing official duties. Upon request, the Freedom of Information Officer will make arrangements for an explanation of computer language or printout format.
- b) One copy of each public record required to be copied by the Act shall be provided by the Freedom of Information Officer, if requested, following receipt of the fees specified in Section 5025.150 of this Part.

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

Section 5025.150 Fees

- a) The fee for copies of public records on letter or legal size paper shall not exceed \$.25 per page. For copies which cannot be made on available standard office copying equipment a fee will be charged reasonably calculated by the Freedom of Information Officer to cover the actual cost of producing the copies by other means. For preparation in printed form of computer-stored data a fee will be charged reasonably calculated by the Freedom of Information Officer to cover the actual cost of programming, computer usage, and printing. The fee for certification shall not exceed \$1.00 per document or set of documents. The fee for mailing copies will be the actual postage.
- b) Fees shall be reduced or waived if the person requesting copies of documents states the specific purpose for the request and demonstrates to the satisfaction of the Freedom of Information Officer that the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or legal rights of the general public and not to provide personal or commercial benefit. In setting the amount of the waiver or reduction, the Freedom of Information Officer may take into consideration the amount of materials requested and the cost of copying them.

Section 5025.160 Denial of Requests

A denial of a request for access to public records shall be made by the Freedom of Information Officer by letter mailed to the person submitting the request. The letter shall state the reasons for the denial and the names and titles of each person responsible for the denial and shall give notice of the right to appeal the denial. Failure of the Freedom of Information Officer to respond to a request for access to public records within 7 working days after its receipt shall be considered a denial of the request.

Section 5025.170 Response Time

The Freedom of Information Officer shall respond to each request for access to public records within 7 working days after its receipt, unless the response time is extended for an additional period of not more than 7 working days in accordance with Section 3. of the Act. The response shall be by letter mailed to the

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

person making the request and shall approve the request in its entirety, approve the request in part and deny it in part, or deny the request in its entirety.

Section 5025.180 Appeals

a) Persons whose request for access to public records has been denied in whole or in part may appeal as follows:

1) for requests for access to public records concerning the Board of Governors System, the Cooperative Computer Center, or the Educational Computing Network, to the Chancellor of the Board of Governors of State Colleges and Universities at the address set forth in Section 5025.120 a) of this Part;

2) for requests for access to public records concerning one of the Board of Governors universities, to the President of the university at the address set forth in Section 5025.120 b) of this Part.

b) Appeals shall be in writing and should be accompanied by a copy of the request for access to public records, a copy of the denial (if a written denial was provided), and a statement of the reasons the appeal should be granted. Appeals shall be decided within 7 working days after receipt, and a notice of the decision shall be mailed to the person submitting the appeal. Failure to respond to an appeal within this time limit shall be considered a denial of the appeal.

SUBPART B: RULEMAKING

Section 5025.210 Rulemaking

Rules are adopted in accordance with The Illinois Administrative Procedure Act (Ill.Rev.Stat. 1987, ch. 127, par. 1001 et seq.) after being recommended by the Chancellor and approved by the Board of Governors of State Colleges and Universities.

BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES

NOTICE OF ADOPTED RULES

SUBPART C: ORGANIZATION

Section 5025.310 Description

The Board of Governors of State Colleges and Universities is a body corporate and politic created to operate, manage, control, and maintain Chicago State University, Eastern Illinois University, Governors State University, Northeastern Illinois University, and Western Illinois University pursuant to "AN ACT to provide for the management, operation, control and maintenance of the State Colleges and Universities system" (Ill. Rev. Stat. 1987, ch. 144, par. 1001 et seq.).

Section 5025.320 Location of System Office and Universities

a) The System Office of the Board of Governors is located at 2040 Hill Meadows Drive, Suite B, Springfield, IL 62702, the Cooperative Computer Center is located at 190 Prospect, Elmhurst, IL 60126, and the Educational Computing Network is located at 2 Cottonwood Road, Building #1, Suite #102, Edwardsville, IL 62025.

b) The Board of Governors universities are located at the following addresses:

- 1) Chicago State University - 95th Street at King Drive, Chicago, IL 60628
- 2) Eastern Illinois University - Charleston, IL 61920
- 3) Governors State University - University Park, IL 60466
- 4) Northeastern Illinois University - Bryn Mawr at St. Louis Avenue, Chicago, IL 60625
- 5) Western Illinois University - Macomb, IL 61455

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No
- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No
- 15) SUMMARY AND PURPOSE OF AMENDMENTS: These amendments were proposed to incorporate changes adopted by the Illinois Endangered Species Protection Board to the Illinois List of Endangered and Threatened Flora.
- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

1) THE HEADING OF THE PART: Illinois List of Endangered and Threatened Flora

2) CODE CITATION: 17 Ill. Adm. Code 1050

3) SECTION NUMBERS: ADOPTED ACTION:

1050.20 Amendments
1050.25 Amendments
1050.30 Amendments
1050.40 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, par. 337).

5) EFFECTIVE DATE OF AMENDMENTS: March 13, 1989

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 9, 1989

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: December 9, 1988, 12 Ill. Reg. 20335

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In the Main Source Note, a comma was replaced with a semi-colon following "2593" in the third line.

The Main Source Note and Section Source Notes were changed to "13" Ill. Reg.

In Section 1050.20, under "State Endangered Species" a sentence was added at the end of the paragraph reading "Individual plants and plant products produced from non-wild sources shall be exempt from the provisions of the Illinois Endangered Species Act."

In Sections 1010.30 and 1050.40, the subsections were moved to the right 1/2 inch as if labeled at the second level of subsections.

In Section 1050.30 the word "CRUGIFERAE" was moved to the left margin of the page.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER C: ENDANGERED SPECIESPART 1050
ILLINOIS LIST OF ENDANGERED AND THREATENED FLORA

Section

1050.10

1050.20

1050.25

1050.30

1050.40

Official List

Definitions

Criteria Used For Listing

Endangered Flora of Illinois

Threatened Flora of Illinois

AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, par. 337).

SOURCE: Adopted at 4 Ill. Reg. 22, p. 209; effective May 20, 1980 unless otherwise noted; amended at 5 Ill. Reg. 10293, effective September 30, 1981; codified at 6 Ill. Reg. 2393; amended at 8 Ill. Reg. 13713, effective July 25, 1984; amended at 13 Ill. Reg. 3755, effective March 13, 1989.

Section 1050.20 Definitions

To be in compliance with the Federal and State Endangered Species Acts, the following definitions apply:

Federally Endangered Species - Any species which is in danger of extinction throughout all or a significant portion of its range. (Denoted by two asterisks (**)) on adopted list.)

Federally Threatened Species - Any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. (Denoted by one asterisk (*) on adopted list.)

State Endangered Species - Any native remnants and reproduction from those remnant populations of a species which is in danger of extinction in the wild in Illinois. Individual plants and plant products produced from non-wild sources shall be exempt from the provisions of the Illinois Endangered Species Act.

State Threatened Species - Any native remnants and reproduction from those remnant populations of a species which is likely to become a state endangered species in the wild in Illinois within the foreseeable future in Illinois.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 13 Ill. Reg. 3755, effective March 13, 1989)

Section 1050.25 Criteria Used For Listing

a) A species shall be included on the Official List when one or more of the following criteria exists:

- 1) Species included in the Federal list of Endangered or Threatened species.
 - 2) Species proposed for Federal Endangered or Threatened status which occur in Illinois.
 - 3) Species which formerly were widespread in Illinois but have been nearly extirpated from the State due to habitat destruction, collecting, or other pressures resulting from the development of Illinois.
 - 4) Species which exhibit very restricted geographic ranges of which Illinois is a part.
 - 5) Species which exhibit restricted habitats or low populations in Illinois.
 - 6) Species which are significant disjuncts in Illinois, i.e., the Illinois population is far removed from the rest of the species' range.
- b) A species will be removed from the Official List if it no longer fulfills one or more of the criteria in paragraph subsection (a), except for a species that no longer fulfills the criteria because it no longer grows in Illinois. The determination will be made pursuant to Section 7 of the Endangered Species Protection Act (Ill. Rev. Stat. 1983) 1987, ch. 8, par. 337).

(Source: Amended at 13 Ill. Reg. 3755, effective March 13, 1989)

Section 1050.30 Endangered Flora of Illinois

SCIENTIFIC NAME

COMMON NAME

EQUISETACEAE

Equisetum palustre

Marsh Horsetail

Equisetum pratense

Meadow Horsetail

Equisetum scirpoides

Dwarf Scouring Rush

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

LYCOPODIACEAE

Lycopodium clavatum Running Pine
 Lycopodium dendroideum Ground Pine
 Lycopodium inundatum Bog Clubmoss

OPHIOGLOSSACEAE

Botrychium biternatum Southern Grape Fern
 Botrychium matricariaefolium Daisyleaf Grape Fern
 Botrychium simplex Dwarf Grape Fern

POLYPODIACEAE

Asplenium resiliens Black Spleenwort

Cystopteris laurentiana Fragile Fern

Dryopteris celsa Log Fern

Gymnocarpium dryopteris Oak Fern

Gymnocarpium robertianum Scented Oak Fern

Thelypteris noveboracensis New York Fern

Thelypteris phegopteris Long Beech Fern

Woodsia ilvensis Rusty Woodsia

~~Woodwardia virginica~~ Virginia Chain-Fern

CUPRESSACEAE

Juniperus horizontalis Trailing Juniper

PINACEAE

Pinus banksiana Jack Pine
 Pinus echinata Shortleaf Pine
 Pinus resinosa Red Pine

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

ALISMATACEAE

Echinodorus tenellus Small Burhead
 Sagittaria longirostris Arrowhead

ARACEAE

Calla palustris Water Arum

BURMANNIACEAE

Thismia americana Thismia

COMMELINACEAE

Tradescantia bracteata Prairie Spiderwort

CYPERACEAE

Carex alata Winged Sedge

Carex atherodes Sedge

Carex aurea Golden Sedge

Carex austrina Sedge

Carex brunnescens Sedge

Carex communis Sedge

~~Carex crassipes~~ Sedge

~~Carex cumulata~~ Sedge

Carex decomposita Sedge

Carex disperma Sedge

Carex garberi Sedge

Carex gigantea Sedge

Carex intumescens Swollen Sedge

Carex laxiculmis Sedge

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

Carex nigromarginata	Sedge
Carex oligosperma	Sedge
Carex oxylepis	Sedge
Carex pallescens	Sedge
Carex physorhyncha	Sedge
Carex plantaginea	Plantain-leaved Sedge
Carex prasina	Sedge
Carex reniformis	Sedge
Carex rostrata	Sedge
Carex striatula	Sedge
Carex styloflexa	Sedge
Carex tonsa	Sedge
Carex trisperma	Sedge
<u>Carex tuckermanni</u>	<u>Sedge</u>
Carex viridula	Sedge
<u>Carex willdenowii</u>	<u>Willdenow's Sedge</u>
Carex woodii	Sedge
Cyperus lancastrensis	Galingale
Eleocharis-equisetoides	Knotted-Spikerush
Eleocharis olivacea	Spikerush
Eleocharis parvula	Spikerush
Eleocharis pauciflora	Spikerush
Eriophorum virginicum	Rusty Cotton Grass
Eriophorum viridi-carinatum	Tall Cotton Grass

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

Fimbristylis beldwiniana	Baldwin's Fimbristylis
Fimbristylis vahlii	Vahl's Fimbristylis
Fuirena scirpoides	Umbrella Grass
Lipocarpa maculata	Mottled Lipocarpa
Rhynchospora globularis	Grass Beak Rush
Rhynchospora glomerata	Beak Rush
Rhynchospora-macrostachya	Beak-Rush
Scirpus cespitosus	Tufted Bulrush
Scirpus hallii	Bulrush
Scirpus hattorianus	Bulrush
Scirpus-microcarpus	Bulrush
Scirpus paludosus	Alkali Bulrush
Scirpus-pedunculatus	Bulrush
Scirpus purshianus	Weak Bulrush
Scirpus smithii	Bulrush
Scirpus torreyi	Bulrush
Scirpus verecundus	Bulrush
ScirpusScleria reticularis	Netted Nut Rush
GRAMINEAE	
Agropyron-subsecundum	Bearded-Wheat Grass
Amnophila-breviligulata	Marram Grass
Aristida-necopina	Three-awn
Beckmannia-syzigachne	American-Slough Grass
Cinna-latifolia	Drinking Wood Reed

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<i>Glyceria-arkansana</i>	Manna-Grass
<i>Glyceria-borealis</i>	Northern Manna-Grass
<i>Glyceria-eanadensis</i>	Rattlesnake-Grass
<i>Gymnopogon-ambiguus</i>	Beard-Grass
<i>Leptochloa-panicoides</i>	Salt-Meadow-Grass
<i>Panicum-boreale</i>	Northern Panic-Grass
<i>Panicum-columbianum</i>	Hemlock-Panic-Grass
<i>Panicum-hians</i>	Panic-Grass
<i>Panicum-joozi</i>	Panic-Grass
<i>Panicum-longifolium</i>	Long-leaved-Panic-Grass
<i>Panicum-mattamuskeetense</i>	Panic-Grass
<i>Panicum-rigidum</i>	Panic-Grass
<i>Panicum-ravenelii</i>	Panic-Grass
<i>Panicum-stipitatum</i>	Panic-Grass
<i>Panicum-yadianense</i>	Panic-Grass
<i>Paspalum-bushii</i>	Hairy-Beard-Grass
<i>Paspalum-dissectum</i>	Bead-Grass
<i>Paspalum-lentiferum</i>	Bead-Grass
<i>Poa-alsodes</i>	Grove-Bluegrass
<i>Poa-autumnalis</i>	Bluegrass
<i>Poa-languida</i>	Weak-Bluegrass
<i>Poa-wolfii</i>	Wolf's-Bluegrass
<i>Puccinellia-pallida</i>	Grass
<i>Setiache-ne-purpureascens</i>	False-Melic-Grass

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IRIDACEAE	
<i>Sisyrinchium atlanticum</i>	Eastern Blue-eyed Grass
<i>Sisyrinchium montanum</i>	Mountain Blue-eyed Grass
JUNACEAE	
<i>Juncus alpinus</i>	Richardson's Rush
<i>Juncus vaseyi</i>	Vasey's Rush
<i>Luzula acuminata</i>	Hairy Woodrush
JUNCAGINACEAE	
<i>Scheuchzeria palustris</i>	Arrow Grass
<i>Triglochin maritima</i>	Common Bog Arrow Grass
<i>Triglochin palustris</i>	Slender Bog Arrow Grass
LILIACEAE	
<i>Camassia angusta</i>	Wild Hyacinth
<i>Erythronium mesochoreum</i>	White Dog-tooth Violet
<i>Lilium superbum</i>	Turk's Cap Lily
<i>Medeola virginiana</i>	Indian Cucumber Root
<i>Polygonatum-pubesceens</i>	Dowry-Solomon's-Seal
<i>Trillium cernuum</i>	Nodding Trillium
<i>Trillium cuneatum</i>	Trillium
<i>Trillium erectum</i>	Ill-scented Trillium
<i>Zigadenus glaucus</i>	White Camass
MARANTACEAE	
<i>Thalia dealbata</i>	Powdery Thalia
ORCHIDACEAE	

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<u>Cypripedium acaule</u>	<u>Moccasin</u> Moccasin Flower
<u>Cypripedium calceolus</u> var. <u>parviflorum</u>	Small Yellow Lady's Slipper
<u>Cypripedium candidum</u>	White Lady's Slipper
<u>Cypripedium reginae</u>	Showy Lady's Slipper
<u>Habenaria ciliaris</u>	Orange Fringed Orchid
<u>Habenaria clavellata</u>	Wood Orchid
<u>Habenaria flava</u> var. <u>flava</u>	Tuberled Orchid
Habenaria hookeri	Hooker's Orchid
<u>Habenaria leucophaea</u>	Prairie White Fringed Orchid
<u>Habenaria psycodes</u>	Purple Fringed Orchid
<u>Hexalectris spicata</u>	Crested Coralroot Orchid
<u>Isotria medeoloides</u> **	Small Whorled Pogonia
<u>Isotria verticillata</u>	Whorled Pogonia
<u>Pogonia ophioglossoides</u>	Snake-mouth
<u>Spiranthes lucida</u>	Yellow-lipped Ladies' Tresses
<u>Spiranthes romanzoffiana</u>	Hooded Ladies' Tresses
<u>Spiranthes vernalis</u>	Spring Ladies' Tresses
<u>POACEAE</u>	
<u>Agropyron subsecundum</u>	Bearded Wheat Grass
<u>Ammophila breviligulata</u>	Marram Grass
<u>Beckmannia syzigachne</u>	American Slough Grass
<u>Glyceria arkansana</u>	Manna Grass

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<u>Glyceria borealis</u>	<u>Northern Manna Grass</u>
<u>Glyceria canadensis</u>	<u>Rattlesnake Grass</u>
<u>Gymnopogon ambiguus</u>	<u>Beard Grass</u>
<u>Leptochloa panicoides</u>	<u>Salt Meadow Grass</u>
<u>Milium effusum</u>	<u>Millet Grass</u>
<u>Panicum boreale</u>	<u>Northern Panic Grass</u>
<u>Panicum columbianum</u>	<u>Hemlock Panic Grass</u>
<u>Panicum joori</u>	<u>Panic Grass</u>
<u>Panicum longifolium</u>	<u>Long-leaved Panic Grass</u>
<u>Panicum nitidum</u>	<u>Panic Grass</u>
<u>Panicum ravenelii</u>	<u>Panic Grass</u>
<u>Panicum stipitatum</u>	<u>Panic Grass</u>
<u>Panicum yadkinense</u>	<u>Panic Grass</u>
<u>Paspalum bushii</u>	<u>Hairy Beard Grass</u>
<u>Paspalum dissectum</u>	<u>Beard Grass</u>
<u>Poa alsodes</u>	<u>Grove Bluegrass</u>
<u>Poa autumnalis</u>	<u>Bluegrass</u>
<u>Poa languida</u>	<u>Weak Bluegrass</u>
<u>Poa wolfii</u>	<u>Wolf's Bluegrass</u>
<u>Puccinellia pallida</u>	<u>Grass</u>
<u>Schizachne purpurascens</u>	<u>False Melic Grass</u>
<u>PONTERDERIAEAE</u>	
<u>Heteranthera reniformis</u>	<u>Mud Plantain</u>
<u>POTAMOGETONACEAE</u>	

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Potamogeton gramineus Grass-leaved Pondweed
 Potamogeton praelongus White-stemmed Pondweed
 Potamogeton pulcher Spotted Pondweed
 Potamogeton robbinsii Fern Pondweed
 Potamogeton strictifolius Stiff Pondweed
 Potamogeton vaseyi Vasey's Pondweed

SPARGANIACEAE

Sparganium americanum American Burreed
 Sparganium chlorocarpum Green-fruited Burreed

ACANTHACEAE

Justicia ovata Water Willow

ADOXACEAE

Adoxa moschatellina Moschatel

AMARANTHACEAE

Iresine rhizomatosa Bloodleaf

APIACEAE

Conioselinum chinense Hemlock Parsley
 Cynosciadium digitatum Cynosciadium
 Daucus pusillus Small Wild Carrot
 Eryngium prostratum Eryngo
 Hydrocotyle ranunculooides Water-pennywort

Ptilimnium costatum Mock Bishop's Weed

Ptilimnium nuttallii Mock Bishop's Weed

ARALIACEAE

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Aralia hispida Bristly-Sarsaparilla

ARISTOLOCHACEAE

Aristolochia-serpentaria var. hastata Virginia Snakefoot

ASCLEPIADACEAE

Asclepias lanuginosa Woolly Milkweed
 Asclepias meadii* Mead's Milkweed
 Asclepias ovalifolia Oval Milkweed
 Matelea decipiens Climbing Milkweed

ASTERACEAE

Bidens beckii Water Marigold
 Eupatorium incarnatum Thoroughwort
 Helianthus giganteus Tall Sunflower
 Hymenoxys acaulis var. glabra* Lakeside Daisy
 Lactuca hirsuta Wild Lettuce
 Lactuca ludoviciana Western Wild Lettuce
 Melanthera nivea White Melanthera
 Microseris cuspidata Prairie Dandelion
 Rudbeckia missouriensis Missouri Orange Coneflower
 Silphium trifoliatum Rosinweed
 Solidago arguta (sensu lato: incl. S. strigosa & S. bootii) Goldenrod

BERBERIDACEAE

Berberis canadensis Allegheny Barberry

BETULACEAE

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<u>Alnus rugosa</u>	Speckled Alder
<u>Betula lutea alleghaniensis</u>	Yellow Birch
<u>Betula populifolia</u>	Gray Birch
BORAGINACEAE	
<u>Hackelia americana</u>	Stickseed
<u>Heliotropium tenellum</u>	Slender Heliotrope
<u>Oenothera biennis mollis</u>	Marbleseed
BRASSICACEAE	
<u>Cardamine pratensis var. palustris</u>	Cuckoo Flower
<u>Draba cuneifolia</u>	Whitlow Grass
<u>Lesquerella ludoviciana</u>	Silvery Bladderpod
<u>Rorippa islandica subsp. hispida</u>	Hairy Marsh Yellow Cress
<u>Rorippa truncata</u>	Yellow Cress
CACTACEAE	
<u>Opuntia fragilis</u>	Prickly Pear
CAPPARIDACEAE	
<u>Polanisia jamesii</u>	James' Clammyweed
CAPRIFOLIACEAE	
<u>Lonicera dioica var. glaucescens</u>	Red Honeysuckle
<u>Viburnum molle</u>	Arrowwood
CARYOPHYLLACEAE	
<u>Silene regia</u>	Royal Catchfly
<u>Stellaria pubera</u>	Great Chickweed
CISTACEAE	

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<u>Hudsonia tomentosa</u>	False Heather
<u>Lechea intermedia</u>	Pinweed
CLUSIACEAE	
<u>Hypericum adpressum</u>	<u>Shore St. John's Wort</u>
<u>Hypericum boreale</u>	<u>Northern St. John's Wort</u>
<u>Hypericum densiflorum</u>	<u>St. John's Wort</u>
<u>Hypericum kalmianum</u>	<u>Kalm's St. John's Wort</u>
<u>Triadenum virginicum</u>	<u>Marsh St. John's Wort</u>
COMPOSITAE	
<u>Bidens beckii</u>	Water-Marigold
<u>Cirsium carolinianum</u>	Carolina-Thistle
<u>Eupatorium incarnatum</u>	Thoroughwort
<u>Gratiola macounii</u>	Clammy-Gudweed
<u>Helianthus giganteus</u>	Tall-Sunflower
<u>Hymenoxys acaulis var. glabra</u>	Lakeside-Daisy
<u>Lactuca hirsuta</u>	Wild Lettuce
<u>Lactuca ludoviciana</u>	Western-Wild-Lettuce
<u>Melanthera nivea</u>	White-Melanthera
<u>Microseris cuspidata</u>	Prairie-Dandelion
<u>Rudbeckia missouriensis</u>	Missouri-Orange-Goneflower
<u>Solidago arguta (sensu lato incl. S. strigosa & S. boothii)</u>	Goldenrod
<u>Solidago remota</u>	Goldenrod
CORNACEAE	

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Cornus canadensis

Bunchberry

CORYLACEAECorylus cornutaBeaked HazelnutCRUGIFERAE-Cardamine pratensis-var. -palustrisCuckoo FlowerDraba cuneifoliaWhitlow GrassLesquerella ludovicianaSilvery-BladderpodRorippa islandica-subsp. -hispidulaHairy Marsh -Yellow GrassRorippa truncataYellow-GrassCUCURBITACEAEMelothria pendulaSquirting CucumberDROSERACEAEDrosera rotundifoliaRound-leaved SundewELAEAGNACEAEShepherdia canadensisBuffaloberryERICACEAEArctostaphylos uva-ursiBearberryGaultheria procumbensWintergreenVaccinium corymbosumHighbush BlueberryVaccinium macrocarponLarge CranberryVaccinium oxycoccosSmall CranberryVaccinium stamineumDeerberryEUPHORBIACEAEChamaesyce polygonifoliaSeaside Spurge

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Euphorbia spathulataSpurgeFABACEAEAmorpha nitensSmooth False IndigoApios priceanaPrice's GroundnutAstragalus crassicaarpus
var. trichocalyxLarge Ground PlumAstragalus tennesseensisTennessee Milk VetchCladrastis luteaYellowwoodDioclea multifloraBoykin's DiocleaLathyrus maritimusBeach PeaLespedeza leptostachya*Prairie Bush CloverPetalostemum foliosumLeafy Prairie CloverTrifolium reflexumBuffalo CloverFAGACEAECastanea dentataAmerican ChestnutQuercus nuttalliiNuttall's OakGENTIANACEAEBartonia paniculataScrewstemSabatia campestrisPrairie Rose GentianGERANIACEAEGeranium bicknelliiNorthern CranesbillGUTTIFERAEHypericum adpressumShore St. -John's WortHypericum borealeNorthern St. -John's Wort

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NOTICE OF ADOPTED AMENDMENTS

Hypericum densiflorum
Hypericum kalmianum
Triadenum virginicum

St. John's Wort
 Kalm's St. John's Wort
 Marsh St. John's Wort

Petalostemum-foliosum
Trifolium-reflexum

Leafy Prairie Clover
 Buffalo Clover

HYDROPHYLLACEAE

LENTIBULARIACEAE

Utricularia uniflora
Phacelia gillioides

Utricularia cornuta
 Utricularia intermedia
 Utricularia minor

Horned Bladderwort
 Flat-leaved Bladderwort
 Small Bladderwort

JUGLANDACEAE

MALVACEAE

Carya pallida

Iliamna remota

Kankakee Mallow

LABIATAELAMIAACEAE

Lycopusamplexens
Physostegia-intermedia
Pycnanthemum albescent
Pycnanthemum torrei
Stachys-clingmannii
Synandra hispidula

Sphaeralcea angusta

Globe Mallow

Lycopusamplexens
Physostegia-intermedia
Pycnanthemum albescent
Pycnanthemum torrei
Stachys-clingmannii
Synandra hispidula

MYRICACEAE

Comptonia peregrina

Sweetfern

Comptonia peregrina

NYCTAGINACEAE

Mirabilis-hirsuta

Hairy Umbrella-wort

ONAGRACEAE

ONAGRACEAE

Circaea alpina

Small Sundrops

LEGUMINOSAE

Amorpha-nitens
Apios-princeana
Astragalus-tennesseensis
Baptisia-triarteria
Cladrastis-lutea
Dioclea-multiflora
Lathyrus-maritimus
Lepedeza-leptostachya

Oenothera perennis

OROBANCHACEAE

Orobancha fasciculata
Orobancha ludoviciana

Clustered Broomrape
 Broomrape

Oxalis-grandis
Oxalis-illinoensis

OXALIDACEAE

Papaveraceae

PAPAVERACEAE

Large-Wood Sorrel
Illinois Wood Sorrel

Papaveraceae

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Corydalis aurea	Golden Corydalis
Corydalis halei	Hale's Corydalis
Corydalis sempervirens	Pink Corydalis
PLANTAGINACEAE	
Plantago cordata	Heart-leaved Plantain
Plantago heterophylla	Small Plantain
POLEMONIACEAE	
Phlox-carolina subsp. angusta	Phlox
Phlox pilosa subsp. sangamonensis	Sangamon Phlox
POLYGALACEAE	
Polygala incarnata	Pink Milkwort
POLYGONACEAE	
Polygonum arifolium	Halbred-leaved Tearthumb
Polygonum careyi	Carey's Heartsease
Polygonum longistylumbicorne	Smartweed
Rumex hastatulus	Sour Dock
PORTULACACEAE	
Talinum calycinum	Fameflower
PRIMULACEAE	
Diodecatheon amethystinum	Jeweled-Shooting-Star
Lysimachia fraseri	Loosestrife
Lysimachia radicans	Creeping Loosestrife
Primula mistassinica	Bird's-eye Primrose
PYROLACEAE	

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Chimaphila maculata	Spotted Wintergreen
Chimaphila umbellata	Pipsissewa
Pyrola americana	Round-leaved Shinleaf
Pyrola secunda	One-sided-Pyrola
RANUNCULACEAE	
Cimicifuga americana	American Bugbane
Cimicifuga racemosa	False Bugbane
Clematis crispa	Blue Jasmine
Clematis occidentalis	Mountain Clematis
Clematis viorna	Leatherflower
Ranunculus ambigua	Spearwort
Ranunculus cymbalaria	Seaside Crowfoot
RHAMNACEAE	
Berchemia scandens	Supple-jack
Ceanothus ovatus	Redroot
Rhamnus alnifolia	Alder Buckthorn
ROSACEAE	
Amelanchier interior	Shadbush
Amelanchier sanguinea	Shadbush
Geum rivale	Purple-Avens
Malus angustifolia	Narrow-leaved Crabapple
Potentilla millegrana	Cinquefoil
Rosa acicularis	Rose
Rubus enslenii	Arching Dewberry

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Rubus odoratus	Purple-flowering Raspberry
Rubus pubescens	Dwarf Raspberry
Rubus setosus	Bristly Blackberry
Sanguisorba canadensis	American Burnet
Sorbus americana	American Mountain Ash
Waldsteinia fragarioides	Barren Strawberry
RUBIACEAE	
Galium virgatum	Dwarf Bedstraw
SALICACEAE	
Populus balsamifera	Balsam Poplar
Salix serissima	Autumn Willow
Salix syrticola	Dune Willow
SAPOTACEAE	
Bumelia lanuginosa	Woolly Buckthorn
SARRACENIACEAE	
Sarracenia purpurea	Pitcher Plant
SAXIFRAGACEAE	
Phyladelphus pubescens	Mock-Orange
Ribes hirtellum	Northern Gooseberry
Saxifraga virginensis	Early Saxifrage
SCROPHULARIACEAE	
Bacopa acuminata	Water Hyssop
Castilleja sessiliflora	Downy Yellow Painted Cup
<u>Collinsia violacea</u>	<u>Violet Collinsia</u>

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Melampyrum lineare	Cow Wheat
Mimulus glabratus	Yellow Monkey Flower
<u>Penstemon brevisepalus</u>	<u>Short-sepal'd Beard Tongue</u>
Penstemon grandiflorus	Large-flowered Beard Tongue
Veronica americana	American Brookline
STYRACACEAE	
Halesia carolina	Silverbell Tree
Styrax grandifolia	Bigleaf Snowbell Bush
TILIACEAE	
Tilia heterophylla	White Basswood
ULMACEAE	
<u>Planera aquatica</u>	<u>Water Elm</u>
Ulmus thomasii	Rock Elm
UMBELLIFERAE	
Corioselinum chinense	Henlock Parsley
Cynosciadium digitatum	Cynosciadium
Daucus pusillus	Small Wild-Carrot
Eryngium prostratum	Eryngo
Hydrocotyle ranunculoides	Water-pennywort
Pellinium costatum	Meck-Bishop's-Weed
Pellinium nuttallii	Meck-Bishop's-Weed
URTICACEAE	
Urtica chamaedryoides	Nettle

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VALERIANACEAE

Valeriana uliginosaMarsh ValerianValerianella chenopodiifoliaCorn SaladValerianella intermediaCorn SaladValerianella umbilicataCorn SaladValeriana uliginosaMarsh Valerian

VIOLACEAE

Viola canadensisCanada VioletViola incognitaHairy White VioletViola primulifoliaPrimrose VioletViola viarumPlains Violet

(Source: Amended at 13 Ill. Reg. 3755, effective March 13, 1989)

Section 1050.40 Threatened Flora of Illinois

SCIENTIFIC NAME

COMMON NAME

OPHIOGLOSSACEAE

Botrychium multifidumNorthern Grape Fern

POLYPODIACEAE

Asplenium bradleyiBradley's SpleenwortAsplenium-resiliensBlack SpleenwortDennstaedtia punctilobulaHay-scented Fern

CUPRESSACEAE

Juniperus communisGround JuniperThuja occidentalisArbor Vitae

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PINACEAE

Larix laricinaTamarack

CYPERACEAE

Carex craweiSedgeCladium mariscoidesTwig-RushCyperus grayioidesUmbrella Sedge (Galingale)Eleocharis rostellataSpike RushRhynchospora albaBeaked RushScirpus polyphyllusBulrush

GRAMINEAE

Oryzopsis-racemosaRice Grass

IRIDACEAE

Iris fulvaSwamp Red Iris

LILIACEAE

Stenanthium gramineumGrass-leaved LilyTofieldia glutinosaFalse AsphodelTrillium virideGreen TrilliumVeratrum woodiiFalse Hellebore

ORCHIDACEAE

Calopogon tuberosusGrass Pink OrchidCorallorhiza maculataSpotted Corral-root OrchidHabenaria flava var. herbiolaTuberclad Orchid

POACEAE

Oryzopsis racemosaRice Grass

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ARALIACEAE

Panax quinquefolius

Ginseng

ARISTOLOCHIACEAE

Aristolochia serpentaria var. hastataVirginia Snakeroot

ASCLEPIADACEAE

Asclepias stenophyllaNarrow-leaved Green MilkweedMatelea obliquaClimbing Milkweed

ASTERACEAE

Artemisia dracunculusFalse TarragonAster furcatusForked AsterAster schreberiSchreber's AsterAster undulatusAsterBoltonia decurrensFalse AsterCirsium carolinianumCarolina ThistleCirsium pitcheri*Pitcher's (Dune) ThistleHelianthus angustifoliusNarrow-leaved SunflowerLiatis scariosa var. nieuwlandiiBlazing StarSolidago sciaphilaCliff Goldenrod

BRASSICACEAE

Cakile edentulaSea Rocket

CAPPARIDACEAE

Polanisia jamaesiiJamaica's Clammyweed

CAPRIFOLIACEAE

Lonicera flavaYellow HoneysuckleSambucus pubensRed-berried Elder

CARYOPHYLLACEAE

Arenaria patulaSlender Sandwort

CELASTRACEAE

Euonymus americanusStrawberry Bush

COMPOSITAE

Artemisia dracunculoidesFalse-TarragonAster schreberiSchreber's AsterAster undulatusAsterHelianthus angustifoliusNarrow-leaved-SunflowerSolidago sciaphilaCliff-Goldenrod

CONVOLVULACEAE

Stylisma pickeringiiPatterson Bindweed

CRUCIFERAE

Cakile edentulaSea-Rocket

DROSERACEAE

Drosera intermediaNarrow-leaved Sundew

ERICACEAE

Chamaedaphne calyculataLeatherleaf

FABACEAE

Lathyrus ochroleucusPale Vetchling

FAGACEAE

Quercus phellosWillow Oak

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Quercus prinus

Rock Chestnut Oak

LABIATAELAMIAACEAE

Salvia azurea subsp. pitcheri

Blue Sage

LEGUMINOSAE

Lathyrus ochroleucus

Pale Vetchling

LILIAACEAEPolygonatum pubescens

Downy Solomon's Seal

ONAGRACEAE

Epilobium strictum

Downy Willow Herb

PAPAVERACEAECorydalis curvisiliqua
var. grandibracteataCorydalisPRIMULACEAE

Trientalis borealis

Star-flower

RANUNCULACEAE

Hydrastis canadensis

Golden-Seal

Ranunculus rhomboideus

Prairie Buttercup

ROSACEAE

Filipendula rubra

Queen-of-the-Prairie

Rubus pubescensDwarf RaspberryRUBIAACEAE

Galium labradoricum

Bog Bedstraw

SAXIFRAGACEAE

Sullivantia renifolia

Sullivantia

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SCROPHULARIACEAE

Veronica scutellata

Marsh Speedwell

STYRACACEAE

Styrax americana

Storax

ULMAGEAE

Planera aquatica

Water Elm

VIOLACEAE

Viola conspersa

Dog Violet

(Source: Amended at 13 Ill. Reg. 3755, effective March 13, 1989)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 1) THE HEADING OF THE PART: Public Use of State Parks and Other Properties of the Department of Conservation

- 2) CODE CITATION: 17 Ill. Adm. Code 110

- 3) SECTION NUMBERS: ADOPTED ACTION:

110.30	Amendments
110.45	Amendments
110.60	Amendments
110.70	Amendments
110.90	Amendments
110.120	Amendments
110.150	Amendments
110.180	Amendments

- 4) STATUTORY AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1987, ch. 96%, par. 5911); and by Sections 1, 4, and 6 of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1987, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 63a, 63a11, 63a15, 63a18, and 63a28).

- 5) EFFECTIVE DATE OF AMENDMENTS: March 13, 1989

- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 9, 1989

- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: December 9, 1988, 12 Ill. Reg. 20363

- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No

- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In the Authority Note, the reference to Section 1a was deleted.

The Main Source Note and Section Source Notes were changed to "13" Ill. Reg. Sections 110.30(a)(1), (2) and (3), were moved to the left 1/2 inch to be labeled at the second level of subsections and punctuation was added at the end of these Sections.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

In Section 110.30(d), a new second sentence was added: "The decision to grant or deny a permit will be based upon the impact upon the site and the public."

In Section 110.60(c), the comma following "rockets" was removed and a new sentence was added at the end of the paragraph: "The decision to grant or deny a permit will be based upon public safety and legal considerations, and the impact on public use/enjoyment of parks."

In Section 110.70(d), a new second sentence was added: "The decision to grant or deny a permit will be based upon a balancing between the need of the permittee and the protected water level or flow."

In Section 110.120(e), a new second sentence was added: "The decision to grant or deny a permit will be based upon the reason for the request and the time, date and type of activity, balanced against public enjoyment of the park."

In Section 110.150(d), a new second sentence was added: "Permits are issued to keep track of name and location of divers, to ensure that divers are certified by a recognized entity and to minimize conflicts."

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

- 15) SUMMARY AND PURPOSE OF AMENDMENTS: These amendments were promulgated to reflect changes made in this Part requiring Department permits for horse-drawn conveyances, explosives, water withdrawal, loud speakers and SCUBA divers on DOC properties. Language has also been added prohibiting these activities without permission and prohibiting fires at areas where bans on open fires are posted and prohibiting firewood collection in areas posted to prohibit such.

- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER a: LANDS AND HISTORIC SITESPART 110
PUBLIC USE OF STATE PARKS AND OTHER PROPERTIES OF THE
DEPARTMENT OF CONSERVATION

Section

110.5	Unlawful Activities
110.20	Alcoholic Beverages - Possession, Consumption, Influence
110.30	Animals - Pets, Dogs, Cats - Noisy, Vicious, Dangerous Animals - Horses - Livestock - Animal Waste
110.40	Boats and Other Watercraft
110.45	Abandoned Watercraft
110.50	Capacity of Areas - Usage Limitation
110.60	Camping - Campfires
110.70	Destruction of Property - Flora - Fauna - Man-Made and Inanimate Natural
110.90	Objects - Collection of Artifacts
110.100	Group Activity
110.110	Littering
110.120	Prohibited Fishing Areas - Cleaning of Fish
110.140	Restricted Areas - Metal Detection Devices
110.150	Soliciting/Advertising/Renting/Selling
110.160	Swimming/Wading/Diving
110.170	Vehicles - Operation on Roadway - Speed - Parking - Weight Limit
110.180	Weapons and Firearms - Display and Use Violation of Rule

AUTHORITY: Implementing and authorized by Section 8 of "AN ACT in relation to State forests, operation of forest tree nurseries, and providing penalties in connection therewith", (Ill. Rev. Stat. 1987, ch. 96½, par. 5911); and by Sections 1, 4, and 6 and of "AN ACT in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended (Ill. Rev. Stat. 1987, ch. 105, pars. 465, 465a, 466, 468, 468b, and 468k); and by Sections 63a, 6311, 63a15, 63a18, and 63a28 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 63a, 63a11, 63a15, 63a18, and 63a28).

SOURCE: Adopted at 4 Ill. Reg. 11, p. 59, effective March 4, 1980; emergency amendment at 5 Ill. Reg. 8933, effective August 25, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10621, amended at 6 Ill. Reg. 7401, effective June 11, 1982; amended at 8 Ill. Reg. 9967, effective June 19, 1984; amended at 10 Ill. Reg. 9797, effective May 21, 1986; amended at 10 Ill. Reg. 13256, effective July 25, 1986; amended at 13 Ill. Reg. 3785, effective March 13, 1989.

Section 110.30 Animals - Pets, Dogs, Cats - Noisy, Vicious, Dangerous Animals - Horses - Livestock - Animal Waste

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

a) For any person to allow an unleashed dog, cat, or other domesticated animal on any area and further for any person to allow any dog, cat or other domesticated animal in any area, on a leash longer than 10 feet, except that:

- 1) unleashed hunting dogs are allowed during the hunting season for waterfowl and upland game including squirrel and dove on any Department areas open to hunting and so posted;
- 2) at field trials unleashed dogs are allowed at sites designated by the Department in accordance with 17 Ill. Adm. Code 910; and
- 3) unleashed hunting dogs are allowed by individual permit for dog training at sites designated by the Department in accordance with 17 Ill. Adm. Code 950.

b) For any leashed animal to be left unattended and not under the specific physical control of the owner or person designated by the owner. The owner or person designated by the owner for dogs or other animals must have proof that their animal has a current rabies inoculation certificate or a valid license.

c) For any person to keep a noisy, or vicious, or dangerous dog or animal, or one which is disturbing to other persons, on Department of Conservation controlled properties, and to remain therein after being asked by the Site Superintendent or assigned employee to leave.

d) For any person to ride or lead any horse in any area, other than designated bridle paths or equestrian areas, except that horses are permitted in any designated area at field trials and special events, and horse drawn conveyances authorized by permit by the Department of Conservation. The decision to grant or deny a permit will be based upon the impact upon the site and the public. Horse patrols of the Division of Law Enforcement of site employees of the Department in the performance of their duties are not excluded from any area under the control of the Department.

e) For any person to allow livestock to roam or graze on any Department-controlled lands except when authorized by proper lease, license or written agreement approved by the Illinois Department of Conservation in accordance with 17 Ill. Adm. Code 150.

f) For any person responsible for an animal in a campground or day use area not to dispose of his animal's waste excrement directly into a Department garbage container with a tight fitting lid or have the excrement put into a closed water tight bag or water tight container with the lid closed and placed into a Department trash container.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- g) For any person to allow a dog, cat, or other domesticated animal on any area designated as "NO PETS". Such designation will be reserved for beach areas, concession areas, and certain areas within campgrounds and picnic areas where there are concentrations of large numbers of people or the presence of food or children.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989.)

Section 110.45 Abandoned Watercraft

It shall be unlawful for any person to abandon a watercraft on property owned, leased or managed by the Illinois Department of Conservation.

- a) Abandoned watercraft is defined as a watercraft left unattended for a single period longer than six hours on Department-managed land or water at an area which is not authorized for boat docking.
- b) The Department shall have the power to remove any abandoned watercraft and store said watercraft until claimed by the owner and fees of \$15.00 for removal and \$5.00 for each day's storage are paid. The fees paid for removal and storage are separate from any criminal penalty and do not affect criminal prosecution.
- e) ~~Violation of this Part shall be a Class-B misdemeanor.~~

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989.)

Section 110.60 Camping — Campfires

- a) For any person to use a tent or trailer, or any other type of camping device except in designated camping areas, and persons camping in such designated areas shall obtain a camping authorization slip from authorized site personnel as provided by 17 Ill. Adm. Code 130.
- b) For any person to build any fire in any area except in campstoves provided by the Department of Conservation or in charcoal or other types of metal grills which are furnished by the visitor at a specific campfire site designated or where bans on open fires are posted by the Department of Conservation.
- c) For any person to possess or discharge any type of fireworks or other explosive devices including but not limited to model rockets or aerial displays without a written permit issued by the Department. The decision to grant or deny a permit will be based upon public safety and legal considerations, and the impact on public use/enjoyment of parks.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989.)

Section 110.70 Destruction of Property — Flora — Fauna — Man-Made and Inanimate Natural Objects — Collection of Artifacts

- a) For any person to injure or remove any animal, plant or part thereof, or attempt to disturb any agricultural crop, except as otherwise provided by permit, law, regulation, or by Department program activity under the direct supervision of an authorized employee.
- b) For any person to remove, take, mutilate, deface or destroy any natural or man-made property, equipment, improvement, sign or building, except as otherwise provided by permit, law, regulation, or by Department program activity under the direct supervision of an authorized employee.
- c) For any person to collect or take artifacts and/or mutilate, destroy, deface or excavate any archaeological site except as provided by permit according to 17 Ill. Adm. Code 370.
- d) For any person to withdraw or pump water from any Department controlled lake, canal, wetland, river or stream except as authorized by Department permit. The decision to grant or deny a permit will be based upon a balancing between the need of the permittee and the protected water level or flow.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989.)

Section 110.90 Group Activity

For groups of more than 25 persons to use Department of Conservation facilities unless written permission is obtained in advance from the Site's Superintendent. Further, for groups of persons under the age of 18, it is suggested that at least one adult accompany no more than 15 of these minor individuals.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989.)

Section 110.120 Restricted Areas

- a) For any person to enter or remain in any area when such area has, in whole or in part, been closed to use by visitors. Site Superintendents and Law Enforcement Officers of the Department of Conservation, as well as other peace officers, are authorized to prohibit the use of such closed areas, and it shall be unlawful for any person to disobey the rules and regulations posted relative to such closed area.
- b) For any person to enter or remain on any portion of a dedicated nature preserve area where posted rules and regulations prohibit such entry to protect the natural fauna or flora within such area.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

c) For any person to operate a metal or mineral detection device, except that person may use hand carried devices on Department of Conservation properties that are not classified or zoned as State Historical, Archaeological, or Nature Preserve sites. In addition, persons must obtain a permit from the Department through the Site Superintendent, in advance, indicating the location where these devices shall be used. Further, only a small pen knife, ice-pick or screwdriver shall be used by permittee to recover any find in the area designated. After completing detection activity, the permittee must return the work area to its original state. No shovels, picks or entrenching devices of any size shall be used.

d) For any person to collect firewood or operate a chain saw or sound amplification system which would draw on the site's electrical system in any area which has been closed or posted to prohibit such use. Site Superintendents of the Department of Conservation shall prohibit such use in any area that does not allow the collecting of firewood, has experienced illegal cutting of timber or at which the noise will disturb other site users.

e) For any person to use electronic or electrical speakers at a volume which emits sound beyond the immediate camp or picnic site except as authorized by Department permit. The decision to grant or deny a permit will be based upon the reason for the request and the time, date and type of activity, balanced against public enjoyment of the park.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989)

Section 110.150 Swimming/Wading/Divng

For any person to swim, wade or bodily enter into the water at any location. The exception to this rule include only the following:

- a) areas designated by posting as allowing swimming. Where lifeguards are not posted, no person under 17 years of age may swim or be on the beach without supervision of a parent, guardian, or responsible adult present, or
- b) areas where a Department employed lifeguard is on duty, or
- c) areas posted for other uses such as waterfowl hunters, water skiers, wading anglers, or scuba divers.
- d) areas authorized for Scuba diving. Scuba divers must have in their possession valid permits issued by the Department. Permits are issued to keep track of name and location of divers, to ensure that divers are certified by a recognized entity and to minimize conflicts.

(Source: Amended at 13 Ill. Reg. 3785, effective MARCH 13, 1989)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

Section 110.180 Violation of Rule

- a) Any person who violates any provision of this rule (Section 110.180 through Section 110.170) shall be guilty of a Class B Misdemeanor.
- b) Any person who violates any provision of this rule (Section 110.10 through Section 110.170) shall be subject to arrest and/or removal from the premises under applicable statutes including Section 21-5 of the Criminal Code of 1961 (Ill. Rev. Stat. 1979)1987, ch. 38, par. 21-5), Criminal Trespass to State Supported Land.

(Source: Amended at 13 Ill. Reg. 3785, effective March 13, 1989)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Credit Union Act
- 2) Code Citation: 38 Ill. Adm. Code 190

3) Section Numbers: Adopted Action:

190.10 Amendment
 190.50 Amendment
 190.140 Amendment
 190.160 Amendment
 190.180 Amendment

- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 17, pars. 4431(8), 4409(2).

- 5) Effective Date of Rulemaking: March 10, 1989

- 6) Does this Rulemaking Contain an Automatic Repeal Date? No.

- 7) Date Filed in Agency's Principal Office: December 15, 1988.

- 8) Notice of Proposal Published in Illinois Register:

September 9, 1988 12 Ill. Reg. 14097

- 9) Has JCAR Issued an Objection to this Rule? Yes.

A) Statement of Objection: December 30, 1988, 12 Ill. Reg. 22489

B) Agency Response: January 20, 1989, 13 Ill. Reg. 966

C) Date Agency Response Submitted for Approval to JCAR: February 14, 1989

- 10) Difference Between Proposal and Final Version:

No substantive changes were made. The only differences are technical changes requested by the Administrative Code Unit.

- 11) Will this Rule Replace an Emergency Rule Currently in Effect? No.

- 12) Are There Any Amendments Pending on This Part? No.

- 13) Summary and Purpose of Rule:

Amendment to Section 190.50 will increase the special investigation and examination fees charged to credit unions. The calculations were based on the average salary, travel expense and work days of our Credit Union Field Examiners. The average cost per day is reflected in the increase.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

The other sections amended are all minor technical changes involved in our last credit union rulemaking which was adopted June 7, 1988.

- 14) Information and Questions Regarding this Adopted Rule Shall Be Directed to:

Ben Schwarm
 Department of Financial Institutions
 421 E. Capitol, Room 205
 Springfield, IL 62706
 217/782-2831

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

of potential members, and a letter of support from a sponsor organization, association, or employer if applicable.

b) To change field of membership a credit union must amend its by-laws and articles of incorporation on forms provided by the Department. These amendments require the Director's approval prior to becoming effective.

c) The Department, in administering the common bond requirement of the Act, will evaluate changes to existing or establishment or new fields of membership caused by new charters, conversion, or changes in existing by-laws in accordance with the following criteria:

1) Each credit union must have a field of membership consisting of one or more of the following common bonds: association, occupation or community. A central credit union or a corporate credit union may serve only those groups or persons specified in the Act and its by-laws and Statement of Incorporation.

2) The common bond must conform to the Act and include some unifying factor which links and distinguishes a field of membership from the general public. A generalized common belief, philosophy, or agreement, is not in itself a sufficient basis for a common bond.

3) In determining whether a change in a field of membership is appropriate, the Department also shall consider:

- A) the specific circumstances which govern each request,
- B) the original assumptions and circumstances of the common bond when the charter was granted,
- C) the sponsoring organization's knowledge of and support for the request;
- D) the credit union's demonstrated ability to fully serve its existing field in a safe and sound manner.

(Source: Amended at 13 Ill. Reg. 3793, effective March 10, 1989)

Section 190.50 Fees

The schedules of annual examination fees and supervision fees are contained in Section 12 of the Illinois Credit Union Act (Ill. Rev. Stat. 1987, ch. 17, par. 4413). In addition, the Director prescribes the following fees:

- a) Service Fee Charges:
 - 1) Investigation of application for permission to organize a new credit union \$25.00
 - 2) Preparation and/or approval of an amendment to the Articles of Incorporation or to the By-Laws 5.00
 - 3) Preparation and/or approval of standard revised set of By-Laws 10.00
 - 4) Preparation and/or approval of non-standard revised set of By-Laws 50.00
 - 5) Photocopy of any documents per page50
 - Minimum charge for photocopying 1.00

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER 1: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 190
ILLINOIS CREDIT UNION ACT

Section	
190.5	Credit Union Service Organizations
190.10	Field of Membership Procedures
190.20	Hearings
190.30	Cease and Desist Procedures
190.40	Removal or Suspension Procedures
190.50	Fees
190.60	General Accounting Procedures
190.70	Loan Loss Accounting Procedures
190.80	Use of Electronic Data Processing
190.90	Property and Long Term Leases
190.100	Classes of Share and Special Purpose Share Accounts
190.110	Share Drafts
190.120	Bond and Insurance Requirements
190.130	Verification of Share and Loan Accounts
190.140	First Mortgage Real Estate Lending
190.150	Reverse Mortgage
190.160	Lending Limits - Other Than First Mortgage Loans
190.170	Group Purchasing
190.180	Investments
190.190	Liquidation
190.200	Conversion of Charter

AUTHORITY: Implementing Section 30(8) and authorized by Section 8(2) of the Illinois Credit Union Act (Ill. Rev. Stat. 1987, ch. 17, pars. 4431(8) and 4409(2)).

SOURCE: Adopted at 4 Ill. Reg. 20, p. 17, effective May 7, 1980; amended at 6 Ill. Reg. 11154, effective September 7, 1982; amended and codified at 7 Ill. Reg. 14973, effective October 26, 1985; emergency amendment at 9 Ill. Reg. 14378, effective September 11, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 16231, effective October 10, 1985; amended at 10 Ill. Reg. 14667, effective August 27, 1986; amended at 12 Ill. Reg. 10464, effective June 7, 1988; amended at 12 Ill. Reg. 17383, effective October 24, 1988; amended at 13 Ill. Reg. 3793, effective March 10, 1989.

Section 190.10 Field of Membership Procedures

- a) All requests to amend the field of membership a credit union must be in writing and provide sufficient detail to establish conformance with a definition of common bond as specified in Section 1.1 of the Illinois Credit Union Act (The Act) (Ill. Rev. Stat. 1987, ch. 17, par. 4402). At a minimum this detail must include a definition of the common bond, number of individuals and demographics

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

Total Assets of a Credit Union	Loans Secured by a First Mortgage	by Real Estate Mortgages*
\$1.0 - 2.5 million	\$50,000	25% of total assets
\$2.5 - 5.0 million	\$75,000	30% of total assets
\$5.0 - 10.0 million	\$100,000	35% of total assets
over \$10 million	\$200,000	40% of total assets

- b) Provided however, that the maximum individual lending limit and the maximum ratio of first mortgage real estate loans may be increased by obtaining written approval from the Director. Such approval is to be based upon the need of the members and the credit union's real estate lending record.
- c) The maximum limit on an individual loan is in addition to the secured and unsecured lending limits of 38-iii--Adm--Gede-190-160 Section 190.160.
- d) The maximum maturity of a loan secured by a first mortgage shall not exceed 30 years.
- e) Procedures and Documentation
- 1) All loans secured by ~~an~~-equity a first mortgage in real estate shall be made based upon prudent lending criteria and sound lending practices as documented in each member's loan file. All applicable State and Federal statutes shall be observed.
- 2) All accounting for real estate loan transactions shall be in accordance with generally accepted accounting principles.
- f) Sale of Real Estate Loans
- 1) A credit union may sell, in whole or in part, any loan secured by real estate to:
- A) Federal National Mortgage Association
B) Government National Mortgage Association
C) Federal Home Loan Mortgage Corporation
D) Federal, State and Local Housing Authorities
E) Federal or State Chartered Banks and Savings and Loan Associations
- F) Such other institutions as approved by the Director
- 2) All such sales shall not be subject to recourse or repurchase except for the following:
- A) where the repurchase is at the seller's option;
B) where agreement allows substitutions of one loan for another;
C) where an agreement requires repurchase because of breach of warranty or misrepresentation.

(Source: Amended at 13 Ill. Reg. 3793, effective March 10, 1989)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

- 6) Late filing of any report for each day late 5.00
- 7) Preparation of a list of credit unions by name and address 50.00
- b) Mergers, Investigations and Hearings:
- 1) Supervision of merger including completion of transfer of accounting records of merging credit union to surviving credit union's records 125.00
- 2) Special investigation or examination of a credit union when in the opinion of the Director, there is reasonable cause to believe the credit union is engaged or has engaged, or is about to engage in an unsafe or unsound practice, or is violating or has violated a law, rule or regulation or any condition imposed in writing by the Department. charge per man day or part thereof *\$25-00\$190.00
- *Provided that such charges may not exceed the maximum fee provided in Section 12 of the Illinois Credit Union Act (Ill. Rev. Stat. 1987, ch. 17, par. 4413) for an annual examination.
- 3) The cost of any formal hearing requested by a credit union in accordance with procedures in 38 Ill. Adm. Code 190.20, as assessed by the Director
- 4) A credit union failing to have its books and records available and currently posted* when contacted by the Department's accountant for examination will be assessed a fee of 50.00
- *Currently posted means that the accounts are posted by the 15th of the following month.
- c) Payment:
- 1) A credit union shall pay within 10 days any fee listed in sub-sections Section (a) and (b) of this Section Rule upon receipt of an invoice from the Department.
- 2) Individuals, partnerships or other corporations shall pay in advance any fee to be charged for the preparation of the work requested. The Department, upon request, shall provide an estimated cost of the work requested.
- 3) Fees shall be waived by the Director for forms and copies supplied to another agency of government or where the fee was not imposed according to the Act or 38-iii--Adm--Gede-190 this Part.

(Source: Amended at 13 Ill. Reg. 3793, effective March 10, 1989)

Section 190.140 First Mortgage Real Estate Lending

- a) A Credit Union with total assets greater than \$1.0 million may, following a resolution of its Board, make loans secured by a first mortgage in real estate, subject to the following procedures:

Maximum Amount of Aggregate of All Loans Secured

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

Section 190.160 Lending Limits-Other Than First Mortgage Loans

- a) The Board of Directors of a credit union shall establish the maximum lending limits which shall not exceed the limits in the following schedule. A credit union may request approval from the Director for an exception to these limits, which shall be in writing substantiating the need for higher limits, detailing the credit union's record of lending activity, and shall include financial statements reflecting sound fiscal history.

Credit Union Assets	Maximum	
	Unsecured Limit	Secured Limit
\$ 0 - \$ 50,000	\$750*	\$ 5,000*
50,000 - 200,000	\$1,500*	\$ 7,500*
200,000 - 500,000	\$2,500	\$10,000
500,000 - 1.0 million	\$3,500	\$15,000
1.0 - 5.0 million	\$5,000	\$25,000
5.0 - 10.0 million	\$7,500	\$35,000
Over 10.0 million	\$10,000	\$60,000

*AGENCY NOTE: Per Section 48, of the Illinois Credit Union Act (Ill. Rev. Stat. 1984 1987, ch. 17, par. 4449) the maximum limits will be approved only if these limits are less than or equal to 10% of the credit union's unimpaired capital and surplus.

- b) The unsecured and secured limits are separate limits for each member. Providing a member is credit worthy, the credit union may lend a total amount equal to the secured and unsecured loan limit to any one member.
- c) The above limits may be extended by the amount of the member's unencumbered share account(s) which must be pledged and frozen for the loan amount in excess of the limits.
- d) All loans are to be granted based upon prudent lending practice and judgements and in accordance with written lending procedures prescribed by the Board of Directors.

(Source: Amended at 13 Ill. Reg. 3793, effective March 10, 1989)

Section 190.180 Investments

The Board of Directors of a credit union shall use the following procedures in managing and investing funds not being used for loans to members.

- a) The Board must develop a written investment policy which includes at a minimum:
- 1) person(s) authorized to take investment actions and the kinds of investments permitted the designated person or committee;
 - 2) limits by amount and term of the investments;

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

- 3) procedure for approval of all broker(s) or advisor(s) relationship;
- 4) procedure for safekeeping of securities.
- b) All investments are to be recorded on the books and records in accordance with generally accepted accounting principles and so as to enable the Department to readily ascertain the financial condition of the credit union.
- c) Investments are limited to the direct purchase of securities listed in Section 59 of the Illinois Credit Union Act (Ill. Rev. Stat. 1984 1987, ch. 17, par. 4460), and common trust or mutual funds whose investment authority is limited solely to securities and investments listed in Section 59 of the Illinois Credit Union Act (Ill. Rev. Stat. 1984 1987, ch. 17, par. 4460).
- d) Credit unions are not authorized to engage in speculative investment activities or transactions including but not limited to:
- 1) short sales of securities;
 - 2) adjusted trades;
 - 3) standby commitments;
 - 4) cash forward agreements in excess of 120 days from the trade date;
 - 5) futures contracts in excess of 120 days from the trade date or;
 - 6) the buying and carrying of securities on margin through the use of borrowed funds.

(Source: Amended at 13 Ill. Reg. 3793, effective March 10, 1989)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Definition of Salary
- 2) Code Citation: 50 Ill. Adm. Code 6302
- 3) Section number:
6302.40
Amendment
- 4) Statutory Authority: Ill. Rev. Stat., 1987, ch. 108 1/2, par. 22-501.1
- 5) Effective Date of Rule(s) Amendments, Repealer): March 15, 1989
- 6) Does this rulemaking contain an automatic repealer date? No
- 7) Does this rule (amendment, repealer) contain incorporations by Reference? No
- 8) Date Filed in Agency's Principal Office: November 2, 1988
- 9) Notice(s) of Proposal Published in Illinois Register: September 30, 1988, 12 Ill. Reg. 15269
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version:
 - a) All of the changes requested in the October 31, 1988 memo from the Administrative Code Division were made.
 - b) All changes agreed upon by the Department of Insurance and JCAR have been made.
 - c) In the table of contents for the Part, the Subchapter label "Subchapter ff: PENSIONS" replaced "Subchapter: ff"
 - d) In the main source note, the word "SOURCE" replaced "Source"
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule (amendment, repealer) replace an emergency rule (amendment, repealer) currently in effect? No
- 14) Are there any amendments pending on this Part? No

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rule(s) (Amendments, Repealer):

The amendments to this rule are to more accurately define the types of pay which are not considered "salary attached to rank" for pension purposes and to come into compliance with court decisions.

16) Information and questions regarding this adopted rule (Amendment, Repealer) shall be directed to:

Glen R. Gastorek
Illinois Department of Insurance
100 W. Randolph 15-100
Chicago, Illinois 60601

The full text of the Adopted Rule(s) (Amendments) begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 50: INSURANCE

CHAPTER 1: DEPARTMENT OF INSURANCE

SUBCHAPTER 1ff: PENSIONS

PART 6302

DEFINITION OF SALARY

Section	Authority
6302.10	Scope
6302.20	Salary Contributions and Pension Computations
6302.30	Items Not Included in Salary
6302.40	Longevity Pay
6302.50	

AUTHORITY: Implementing and authorized by Section 22-501.1 of the Illinois Pension Code (Ill. Rev. Stat. 1987, ch. 108 1/2, par. 22-501.1).

SOURCE: Adopted at 3 Ill. Reg. 15, p. 104, effective April 9, 1979; codified at 6 Ill. Reg. 14844; amended at 13 Ill. Reg. 3801, effective March 15, 1989.

Section 6302.40 Items Not Included in Salary

The following shall not be included in salary unless established by the appropriation ordinance ~~7-regardless-of-the-provisions-of-the-appropriation ordinance:~~

- ~~overtime pay; call-back pay or other salary earned as a result of working more than the regular normal working hours.~~
- ~~holiday pay which is distinguishable as an in addition to regular salary and regularly received or is an additional amount paid only to persons who actually worked on a designated holiday.~~
- ~~temporary pay. This is the additional salary earned while filling in on a temporary basis for an employee of a higher rank or position who is absent or otherwise separated from service. However, where an employee has served in a temporary assignment continuously for more than one year, such assignment shall be considered the same as a "specialty rank" (see Section 6302.30 for examples of specialty rank) for pension contributions and benefits.~~
- ~~reimbursements for a particular expenses incurred such as food allowances or uniform allowances.~~
- ~~lump sum payments which are in addition to regular salary attached to rank for such things as earned vacation, compensatory time, sick days or other personal leave days.~~
- ~~lump sum bonuses of a non-recurring nature which may be paid for extraordinary deeds or accomplishments.~~

(Source: Amended at 13 Ill. Reg. 3801, effective March 15, 1989)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Transitional Requirements for the Conversion of Medicare Supplement Insurance Benefits and Premiums to Conform to Medicare Program Revisions

- 2) Code Citation: 50 Ill. Adm. Code 2011

3) Section numbers: Adopted Action:

2011.10	New Section
2011.20	New Section
2011.30	New Section
2011.40	New Section
2011.50	New Section
2011.60	New Section
2011.70	New Section
2011. Appendix A	New Section
2011. Appendix B	New Section
2011. Appendix C	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 73, pars. 975 and 975a, as amended by P.A. 85-1174, effective August 13, 1988.

- 5) Effective Date of Rule: March 13, 1989

- 6) Does this rulemaking contain an automatic repeal date?
No.

- 7) Does this rule contain incorporations by reference? No.

- 8) Date Filed in Agency's Principal Office: March 13, 1989

- 9) Notice of Proposal Published in Illinois Register:

August 19, 1988, 12 Ill. Reg. 13558

- 10) Has JCAR issued a Statement of Objections to this rule?
No.

- 11) Differences between Proposal and Final version:

- In heading to table of contents the following was added:

"SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE"

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- In table of contents the heading of Appendix A changed to: "Notice of Medicare Changes - 1989"
- The following added after Appendix A:
 - "Appendix B Notice of Medicare Changes - 1990"
 - "Appendix C Notice of Medicare Changes - 1991"
- Authority Note, add "P.A. 85-1174, Effective August 13, 1988"
- Section 2011.10, capitalize "Medicare"
- Section 2011.20 after "policies" add, "(50 Ill. Adm. Code 2008)" also delete "regulation", add "Part"
- Section 2011.30 all subsection labels have been deleted
- Definition of "Applicant" add, "(Section 363(2)(a) of the Code)"
- Definition of "Certificate" add, "(Section 363(2)(b) of the Code)"
- After definition of "Certificate" add:
 - "Code" means the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 613 et seq.).
- 'Department' means the Illinois Department of Insurance
- 'Director' means the Director of the Illinois Department of Insurance."
- Definition of "Medicare" add, "(Section 363(2)(d) of the Code)"
- Definition of "Medicare Supplement Policy" add, "(Section 363(2) of the Code)"
- Section 2011.40
- (b)(1)(A) after "changes" add, "mandated by the Medicare Catastrophic Coverage Act of 1988"

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- (b)(1)(A) the end of last sentence now reads: "Appendixes A, B and C as appropriate for the year such changes become effective."
- (b)(1)(D) text has been deleted and replaced with text of former subsection (E)
- (b)(2) delete "indexed benefit adjustment" add "to provide for automatic changes in the annual Part A Medicare deductible amounts"
- (b)(3) delete "at least thirty (30) days"
- (b)(3)(A) add "Such supporting documents shall include incurred claims and earned premium data as set out in Section 363a of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 78, par. 975a) and 50 Ill. Adm. Code 2008.80, and any other information deemed relevant by the insurer."
- Agency - Note: This subsection is not intended to require a return of premium in cases in which a higher loss ratio is actually achieved than was originally anticipated. It is only intended that premium adjustments shall be made based on an anticipated loss ratio which falls below that which was originally filed. Adjustment shall be sufficient to generate an anticipated loss ratio as originally filed.
- Section 2011.50(a) delete "Illinois Insurance"
- (b)(3) At end add, "as set out in 50 Ill. Adm. Code 2008. Appendix B."
- Section 2011.70 At end add "in evaluating any Buyer's Guide or informational brochure, the Department will compare such submissions with the "Guide to Health Insurance for People with Medicare 1989" (no later amendments or editions) developed jointly by the National Association of Insurance Commissioners and the Health Care Financing Administration of the U.S. Department of Health and Human Services."
- Former Appendix A has been split into the

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NOTICE OF ADOPTED RULES

appendixes labeled as follows:

- Appendix A Notice of Medicare Changes - 1989"
- Appendix B Notice of Medicare Changes - 1990"
- Appendix C Notice of Medicare Changes - 1991"

Substantive changes in these appendixes from the proposal are listed below:

In Section 2011. Appendix B:

- A. In the column, "Medicare Now Pays Per Calendar year:
- "560 was substituted in lieu of "564" in the copayment "Medicare Part A Services and Supplies".

- "25.50 was inserted in the blank parenthetical and the parentheses deleted in the component, "Skilled Nursing Facility Care".

- In the component "Medicare Part B Services and Supplies" delete "... until an annual Medicare Catastrophic Limit is met. 100% allowable charges for the remainder of the calendar year. The Limit in 1990 is \$1370 and will be adjusted on an annual basis."

- In the component "Prescription Drugs" delete "... intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive drugs after (\$550 in 1990) calendar year deductible is met". Add, "... immunosuppressive therapy drugs during the first year following covered transplant".

- B. In the column, "Effective January 1, 1990 Medicare Will Pay Per Calendar Year":

- In the component, "Medicare Part B Services and Supplies" add, "80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic Limit* is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1990 is \$1370 and will be adjusted on an annual basis."

- In the component, "Prescription Drugs" add,

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NOTICE OF ADOPTED RULES

"Inpatient prescription drugs 80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive drugs after (\$550 in 1990) calendar year deductible is met."

- C. - In the first sentence after the columns, the phrase "you must pay out-of-pocket and "was added after "Expenses..."

In Section 2011 Appendix C:

- The following text was added under the heading "Medicare Now Pays Per Calendar Year" in the component labeled "Medicare Part B Services and Supplies":

80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic Limit is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1991 is \$() and will be adjusted on an annual basis.

- The following text was deleted and the following text added in the heading "Medicare Now Pays Per Calendar Year," in the component labeled "Prescription Drugs":

Inpatient prescription drugs. 50%-allowable charges-for-all-other-outpatient-drugs,-until-\$600-calendar-year-deductible-is-met. 80% of allowable charges for home IV therapy drugs and 50% of allowable charges for immunosuppressive drugs, after a \$550 calendar year deductible is met.

- The proposed text was deleted in the column "Effective January 1, 1991 Medicare Will Pay Per Calendar Year", in the component labeled "Prescription Drugs", and the following text added: "Same as 1990 and 50% of allowable charges for all other outpatient prescription drugs after \$600 calendar year deductible is met."

- The phrase "you must pay out-of-pocket and" was added after "Expenses" in the last page of the

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Appendix.

- In the last page of text for each Appendix, seventh line, the words "premium charges" shall be replaced by "premium changes."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rule:

This rulemaking is authorized by P.A. 85-1174, effective August 13, 1988. It establishes transitional requirements for the orderly conversion of existing Medicare supplement insurance benefits and premiums to meet the new requirements of the Medicare program revisions enacted by Congress in the Medicare Catastrophic Coverage Act of 1988.

16) Information and questions regarding this adopted rule shall be directed to:

Mr. Charles Budinger
Department of Insurance
320 West Washington Street, 4th Floor
Springfield, Illinois 62767
(217) 782-4572

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE

PART 2011

TRANSITIONAL REQUIREMENTS FOR THE CONVERSION
OF MEDICARE SUPPLEMENT INSURANCE BENEFITS AND
PREMIUMS TO CONFORM TO MEDICARE PROGRAM REVISIONS

Section	Purpose
2011.10	Applicability and Scope
2011.20	Definitions
2011.30	Benefit Conversion Requirements
2011.40	Requirements for New Policies and Certificates
2011.50	Filing Requirements for Advertising
2011.60	Buyer's Guide
2011.70	APPENDIX A Notice of Medicare Changes - 1989
2011.80	APPENDIX B Notice of Medicare Changes - 1990
2011.90	APPENDIX C Notice of Medicare Changes - 1991

AUTHORITY: Implementing and authorized by Sections 363 and 363a of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 975 and 975a, as amended by P.A. 85-1174, effective August 13, 1988).

SOURCE: Adopted at 13 Ill. Reg. 3804, effective March 13, 1989, 1989.

Section 2011.10 Purpose

The purpose of this Part is to assure the orderly implementation and conversion of Medicare supplement insurance benefits and premiums due to changes in the federal Medicare program; to provide for the reasonable standardization of the coverage, terms and benefits of Medicare supplement policies or contracts; to facilitate public understanding of such policies or contracts; to eliminate provisions contained in such policies or contracts which may be misleading or confusing in connection with the purchase of such policies or contracts; to eliminate policy or contract provisions which may duplicate Medicare benefits; to provide full disclosure of policy or contract benefits and benefit changes; and to provide for refunds of premiums associated with benefits duplicating Medicare program benefits.

Section 2011.20 Applicability and Scope

This Part shall take precedence over other rules and requirements relating to medicare supplement policies (50 Ill. Adm. Code 2008) only to the extent necessary to assure that benefits are not duplicated, that applicants receive adequate notice and disclosure of changes in medicare supplement policies and contracts, that appropriate premium adjustments are made in a timely manner, and that premiums are reasonable in relation to benefits. Except as otherwise provided, this Part shall apply to:

- a) All medicare supplement policies delivered, or issued for delivery, or which are otherwise subject to the jurisdiction of this state on or after the effective date hereof, and
- b) All certificates issued under group medicare supplement policies as provided in subsection (a) above.

Section 2011.30 Definitions

For purposes of this Part:

"Applicant" means: in the case of an individual medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits, and in the case of a group medicare policy or subscriber contract, the proposed certificate holder (Section 363(2)(a) of the Code).

"Certificate" means any certificate issued under a group medicare supplement policy (Section 363(2)(b) of the Code).

"Code" means the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 613, et seq.).

"Department" means the Illinois Department of Insurance.

"Director" means the Director of the Illinois Department of Insurance.

"Insurer" means an insurance company, fraternal benefit society, nonprofit health, hospital, or medical service corporation, prepaid health plan or any similar

organization which has delivered or issued for delivery in this state a medicare supplement policy.

"Medicare" means the "Health Insurance for the Aged Act", Title XVII of the Social Security Amendments of 1965, as now or later amended, including the "Medicare Catastrophic Coverage Act of 1988" (Section 363(2)(d) of the Code).

"Medicare Supplement Policy" means a group or individual policy of Accident and Health insurance or subscriber contract delivered or issued for delivery in this state by an insurer, fraternal benefit society, nonprofit health, hospital or medical service corporation, prepaid health plan, or any similar organization which is advertised, marketed or designed primarily as a supplement to reimbursements under Medicare for the hospital, medical or surgical expenses of persons eligible for Medicare by reason of age (Section 363(2)(c) of the Code).

Section 2011.40 Benefit Conversion Requirements

- a) Effective January 1, 1989, no medicare supplement insurance policy or certificate in force in this state shall contain benefits which duplicate benefits provided by Medicare.

- b) General Requirements

1) Notification

- A) No later than thirty (30) days prior to the annual effective date of Medicare benefit changes mandated by the Medicare Catastrophic Coverage Act of 1988, every insurer providing medicare supplement insurance or benefits to a resident of this state shall notify its policyholders and certificateholders of modifications it has made to medicare supplement insurance policies. Such notice shall be in the format prescribed in Appendixes A, B and C as appropriate for the year such changes become effective.

- B) Such notice shall include a description of revisions to the medicare program and a

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description of each modification made to the coverage provided under the medicare supplement insurance policy.

- C) The notice shall inform each covered person as to when any premium adjustment due to changes in Medicare benefits will be made.
- D) Such notice shall not contain or be accompanied by any solicitation.
- 2) No modifications to an existing medicare supplement contract or policy shall be made at the time of or in connection with the notice requirements of this regulation except to the extent necessary to eliminate duplication of medicare benefits and any modifications necessary under the policy to provide for automatic changes in the annual Part A Medicare deductible amounts.
- 3) As soon as practicable, but no longer than forty-five (45) days after the effective date of the Medicare benefit changes and prior to use, every insurer providing medicare supplement insurance or contracts in this state shall file with the Department:
- A) Appropriate premium adjustments necessary to produce loss ratios as originally anticipated for the applicable policies or contracts. Such supporting documents as necessary to justify the adjustment shall accompany the filing. Such supporting documents shall include incurred claims and earned premium data as set out in Section 363a of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 975a) and 50 Ill. Adm. Code 2008.80, and any other information deemed relevant by the insurer.

Agency Note: This subsection is not intended to require a return of premium in cases in which a higher loss ratio is actually achieved than was originally anticipated. It is only intended that premium adjustments shall be made based on an anticipated loss ratio which falls below that which was originally filed.

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Adjustments should be sufficient to generate an anticipated loss ratio as originally filed.

- B) Any riders, endorsements or policy forms needed to accomplish the Medicare supplement insurance modifications necessary to eliminate benefit duplications with Medicare. Any such riders, endorsements or policy forms shall provide a clear description of the medicare supplement benefits provided by the policy or contract.
- 4) Upon satisfying the filing and approval requirements of this state, every insurer shall provide each covered person with any rider, endorsement or policy form necessary to eliminate any benefit duplications under the policy with benefits provided by Medicare.
- 5) No insurer shall require any person covered under a medicare supplement policy which was in force prior to January 1, 1989, to purchase additional coverage under such policy unless such additional coverage was provided for in the policy.
- 6) Every insurer shall make such premium adjustments as are necessary to produce an expected loss ratio under such policy as will conform with minimum loss ratio standards for medicare supplement policies and which is expected to result in a loss ratio at least as great as that originally anticipated by the insurer for such medicare supplement insurance policies. No premium adjustment which would modify the loss ratio experience under the policy other than the adjustments described herein shall be made with respect to a policy at any time other than upon its renewal date. Premium adjustments shall be in the form of refunds or premium credits and shall be made no later than upon renewal if a credit is given, or within sixty (60) days of the renewal date if a refund is provided to the premium payer.

Section 2011.50 Requirements for New Policies and Certificates

- a) Effective January 1, 1989, no medicare supplement insurance policy or certificate shall be issued or issued for delivery in this state which provides

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benefits which duplicate benefits provided by Medicare. No such policy or certificate shall provide less benefits than those required under existing Medicare Supplement Minimum Standards contained in Section 363 of the Code and 50 Ill. Adm. Code 2008 except where duplication of Medicare benefits would result.

b) General Requirements

- 1) Within ninety (90) days of the effective date of this Part, every insurer shall file new medicare supplement insurance policies which eliminate any duplication of medicare supplement benefits with benefits provided by Medicare and which provide a clear description of the policy or contract benefit.
- 2) The filing required under subsection (1) above shall provide for loss ratios which are in compliance with all minimum standards.
- 3) Every applicant for a medicare supplement insurance policy or certificate shall be provided with an outline of coverage which simplifies and accurately describes benefits provided by Medicare and policy benefits along with benefit limitations as set out in 50 Ill. Adm. Code 2008. Appendix B.

Section 2011.60 Filing Requirements for Advertising

Every insurer shall provide a copy of any medicare supplement advertisement intended for use in this State whether through written, radio or television medium to the Director of Insurance of this State for his review. Such advertisement shall comply with all applicable laws of this State.

Section 2011.70 Buyer's Guide

No insurer shall make use of or otherwise disseminate any Buyer's Guide or informational brochure which does not accurately outline current Medicare benefits and which has not been approved by the Director. In evaluating any Buyer's Guide or informational brochure, the Department will compare such submissions with the "Guide to Health Insurance for People with Medicare 1989" (no later amendments or editions) developed jointly by the National Association of Insurance Commissioners and the Health Care Financing Administration of the U. S. Department of Health and Human Services.

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

Section 2011. Appendix A Notice of Medicare Changes - 1989

(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT INSURANCE-1989

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1989. Additional changes will occur on medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format).

Services	Medicare Benefits		Your Medicare Supplement Coverage	
	Medicare Now Pays Per Benefit Period	Effective January 1, 1989 Medicare Will Pay Per Calendar Year	Your 1988 Coverage Per Benefit Period	Effective January 1, 1989 Your Coverage Will Pay Per Calendar Year
Medicare Part A Services and Supplies	First 60 days—All but \$40 61st to 90th day—All but \$135 a day 91st to 150th day—All but \$270 a day (if individual chooses to use 60 nonrenewable lifetime reserve days) Beyond 150th day—Nothing	Unlimited number of hospital days after \$664 deductible		
Skilled Nursing Facility Care	Requires a 3 day prior stay and enter the facility generally within 30 days after hospital discharge.	There is no prior confinement requirement for this benefit.		
	First 20 days—100% of costs. 21st through 100th day—All but \$67.50 a day Beyond 100 days—Nothing	First 8 days—All but \$125.50 a day 9th through 150th day—100% of costs Beyond 150 days—Nothing		

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

Medicare Part B Services and Supplies	Medicare Now Pays Per Calendar Year	In 1989 Medicare Part B Pays the Same as in 1988	Your Policy Now Pays	Effective January 1, 1989 Your Policy Will Pay
80% of allowable charges (after \$75 deductible)	Neat: Medicare Benefits changes in January, 1990 as follows: 80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic limit is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1990 is \$1370* and will be adjusted on an annual basis.	In 1989 Medicare covers inpatient prescription drugs only		

Prescription Drugs

Effective January 1, 1990
Per Calendar Year
80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive drugs after (\$850 in 1990) calendar year deductible is met.

Effective January 1, 1991
Per Calendar Year
Inpatient prescription drugs.
50% of allowable charges for all other outpatient prescription drugs after a \$800 calendar year deductible is met (the deductible will change). Coverage will increase to 60% of allowable charges in 1992 and to 80% of allowable charges from 1993 on.

*Expenses that count toward the Part B Medicare Catastrophic Limit include: the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium charges information will be sent.)

THIS CHART SUMMARIZING THE CHANGES IN YOUR MEDICARE BENEFITS AND IN YOUR MEDICARE SUPPLEMENT PROVIDED BY (COMPANY), ONLY BRIEFLY DESCRIBES SUCH BENEFITS. FOR INFORMATION ON YOUR MEDICARE BENEFITS CONTACT YOUR SOCIAL SECURITY OFFICE OR THE HEALTH CARE FINANCING ADMINISTRATION. FOR INFORMATION ON YOUR MEDICARE SUPPLEMENT (POLICY) CONTACT (COMPANY AND FOR AN INDIVIDUAL POLICY-NAME OF AGENT) (ADDRESS/PHONE NUMBER).

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

Section 2011. Appendix B Notice of Medicare Changes - 1990

(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT COVERAGE-1990

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1990. Additional changes will occur in medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

Services	Medicare Benefits		Your Medicare Supplement Coverage	
	Medicare Now Pays Per Calendar Year	Effective January 1, 1990 Medicare Will Pay Per Calendar Year	Your Coverage Now Pays Per Calendar Year	Effective January 1, 1990 Your Coverage Will Pay Per Calendar Year
Medicare Part A Services and Supplies	Unlimited number of hospital days after (\$850 deductible			
Skilled Nursing Facility Care	There is no prior confinement requirement for this benefit			
	First 8 days— All but \$25.50 a day			
	9th thru 150th day— 100% of costs			
	Beyond 150 days— Nothing			
Medicare Part B Services and Supplies	80% of allowable charges (after \$75 deductible).	80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic Limit* is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1990 is \$1370 and will be adjusted on an annual basis.		
Prescription Drugs	Inpatient prescription drugs. 80% of allowable charges for home intravenous (IV) therapy drugs during the first year following covered transplant.	Inpatient prescription drugs. 80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive drugs after (\$850 in 1990) calendar year deductible is met.		

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

*Expenses that you must pay out-of-pocket and that count toward the Part B Medicare Catastrophic Limit include: the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium changes information will be sent.)

THIS CHART SUMMARIZING THE CHANGES IN YOUR MEDICARE BENEFITS AND IN YOUR MEDICARE SUPPLEMENT PROVIDED BY (COMPANY), ONLY BRIEFLY DESCRIBES SUCH BENEFITS. FOR INFORMATION ON YOUR MEDICARE BENEFITS CONTACT YOUR SOCIAL SECURITY OFFICE OR THE HEALTH CARE FINANCING ADMINISTRATION. FOR INFORMATION ON YOUR MEDICARE SUPPLEMENT (POLICY) CONTACT (COMPANY AND FOR INDIVIDUAL POLICY-NAME OF AGENT) ADDRESS/PHONE NUMBER).

Section 2011. Appendix C Notice of Medicare Changes - 1991
(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT COVERAGE—1991

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1991. Additional changes will occur in medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format).

Services	Medicare Benefits		Your Medicare Supplement Coverage	
	Medicare Now Pays Per Calendar Year	Effective January 1, 1991 Medicare Will Pay Per Calendar Year	Your Coverage Now Pays Per Calendar Year	Effective January 1, 1991 Your Coverage Will Pay Per Calendar Year
Medicare Part A Services and Supplies	Unlimited number of hospital days after (\$) deductible			
Skilled Nursing Facility Care	There is no prior confinement require- ment for this benefit.			
	First 8 days— All but \$) a day			
	Six thru 150th day— 100% of costs			
	Beyond 150 days— Nothing			

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

Medicare
Part B
Services and
Supplies

80% of allowable charges
(after \$75 deductible)
until an annual Medicare
Catastrophic Limit is met.
100% of allowable charges
for the remainder of the
calendar year. The limit
in 1991 is \$1,100 and will
be adjusted on an annual
basis.

Prescription
Drugs

Inpatient prescription drugs.
80% of allowable charges for
home IV therapy drugs
and 50% of allowable charges
for immunosuppressive drugs.
after a \$550 calendar year
deductible is met.

*Expenses that you must pay out-of-pocket and that count toward the Part B Medicare Catastrophic Limit include: the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium changes information will be sent.)

THIS CHART SUMMARIZING THE CHANGES IN YOUR MEDICARE BENEFITS AND IN YOUR MEDICARE SUPPLEMENT PROVIDED BY (COMPANY), ONLY BRIEFLY DESCRIBES SUCH BENEFITS. FOR INFORMATION ON YOUR MEDICARE BENEFITS CONTACT YOUR SOCIAL SECURITY OFFICE OR THE HEALTH CARE FINANCING ADMINISTRATION. FOR INFORMATION ON YOUR MEDICARE SUPPLEMENT (POLICY) CONTACT (COMPANY AND FOR INDIVIDUAL POLICY-NAME OF AGENT) ADDRESS/PHONE NUMBER).

DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Services Charges
- 2) Code Citation: 59 Ill. Adm. Code 106
- 3) Section Number:
106.15
Adopted Action:
Amended
- 4) Statutory Authority: Implementing Chapter 5 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 5-100 et seq.) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 5-104) and Section 5 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1987, ch. 91, par. 100-5).
- 5) Effective Date of Amendment: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 13, 1989
- 9) Notice of Proposal Published in Illinois Register:
November 14, 1988, 12 Ill. Reg. 18087
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version:
Per the request of the Administrative Code Division, the term "and/or" in Section 106.15 in the definition of "Ill-1, Financial Questionnaire" was changed to read "and".

DEPARTMENT OF MENTAL HEALTH AND
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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Since JCAR did not have any questions or comments concerning this rulemaking, JCAR did not issue an agreement letter.
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment:
A definition for the "Ill-1, Financial Questionnaire" is being added to Section 106.15 as part of an agreement that the Department made with the Joint Committee on Administrative Rules when adopting amendments to Sections 106.65 and 106.85, published in the November 14, 1988 issue of the Illinois Register, effective October 31, 1988 (11 Ill. Reg. 18158).
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Gary Anderson, Supervisor
Cost Accounting and Reimbursements Section

Address: 400 Stratton Building
Springfield, IL 62706

Telephone: (217)782-0053

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND
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NOTICE OF ADOPTED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 106
SERVICES CHARGES

Section
106.10 Estates of recipients admitted to state hospitals (repealed)
106.15 Definitions
106.20 Maximum charges for treatment (repealed)
106.25 Charges for services
106.30 Liability for treatment charges (repealed)
106.35 Liability for services charges
106.40 Determination of ability to pay treatment charges (repealed)
106.45 Determination of ability to pay services charges
106.50 Standards for ability to pay treatment charges (repealed)
106.60 Allowances for unusual expenses or circumstances in determining ability to pay treatment charges (repealed)
106.65 Allowances for unusual expenses and/or exceptional circumstances in determining ability to pay services charges
106.70 Petition for release from or modification of treatment charges (repealed)
106.75 Petition for release from or modification of services charges
106.80 Computing costs of hospitalization of recipients (repealed)
106.85 Computing monthly costs of recipient services charges
106.90 Partial payment of cost of maintenance for certain mentally retarded persons in licensed private facilities (repealed)
106.100 Partial payment of costs of maintenance for certain mentally ill children in licensed private facilities (repealed)
106. TABLE A - Responsible Relative Liability

AUTHORITY: Implementing Chapter 5 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, pars. 5-100 et seq.), and Section 11 of the Mental Health and Developmental Disabilities Confidentiality Act (Ill. Rev. Stat. 1987, ch. 91½, par. 811), and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, par. 5-104) and Section 5 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1987, ch. 91½, par. 100-5).

SOURCE: Filed effective October 1, 1969; codified at 5 Ill. Reg. 10721; amended at 6 Ill. Reg. 879, effective January 15, 1982; emergency amendment at 7 Ill. Reg. 13690, effective October 1, 1983 for a maximum of 150 days;

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amended at 8 Ill. Reg. 22555, effective November 7, 1984; amended at 11 Ill. Reg. 17197, effective October 9, 1987; amended at 12 Ill. Reg. 10472, effective June 7, 1988; amended at 12 Ill. Reg. 18158, effective October 31, 1988; amended at 13 Ill. Reg. 3821, effective March 14, 1989.

NOTE: Bold-face type denotes statutory language.

Section 106.15 Definitions

"Allowable reserve." An amount set by the Department in accordance with 59 Ill. Adm. Code 106.45(g) which is exempt from services charges.

"Annual income." Adjusted gross income as defined by Section 2-203 of the Illinois Income Tax Act (Ill. Rev. Stat. 1985 1987, ch. 120, par. 2-203).

"Average per capita cost." Amount calculated for the daily average per capita cost of operation of all Department facilities for the fiscal year immediately preceding the period of State care for which the rate is being calculated (Ill. Rev. Stat. 1985 1987, ch. 91½, par. 5-106).

"Board of Reimbursement Appeals." Board appointed by the Governor consisting of 3 persons whose duties are to review decisions of the Department under Sections 5-105 through 5-115 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1985 1987, ch. 91½, pars. 5-105 through 5-115).

"Department." The Department of Mental Health and Developmental Disabilities.

"Director." The Director of the Department of Mental Health and Developmental Disabilities.

"Estate of recipient." All income and assets, including real property.

"Ill-1, Financial Questionnaire." A designation assigned to a set of schedules developed for the purpose of collecting financial data on recipients of services and their statutorily responsible relatives.

"Legal dependents." Those persons dependent upon the recipient for more than one-half of their support and shown as dependent on the recipient's U.S. Individual Income Tax Return.

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"Medical costs." Services for the diagnosis and treatment of conditions, other than the recipient's handicapping condition, which are provided by a hospital.

"Notice of determination." Notification sent to an individual when charges have been established for recipient services (Ill. Rev. Stat. 1985 1987, ch. 91½, par. 5-111).

"Recipient of services" or "recipient." A person who has received or is receiving services partially or wholly supported by the Department of Mental Health and Developmental Disabilities (Ill. Rev. Stat. 1985 1987, ch. 91½, par. 1-123).

"Responsible relative." Spouse of a recipient or parent of a recipient under age 18 (Ill. Rev. Stat. 1985 1987, ch. 91½, pars. 1-124 and 5-105).

"Services." Services which are rendered and are partially or wholly supported by the Department of Mental Health and Developmental Disabilities.

(Source: Amended at 13 Ill. Reg. 3821, effective March 14, 1989)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Veterinary Medicine and Surgery Practice Act

2) Code Citation: 68 Ill. Adm. Code 1500

3) Section Numbers: Adopted Action:

1500.10 Amended
1500.11 Amended

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111, par. 7008

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 6, 1989

9) Date Notice of Proposal Published in Illinois Register: November 14, 1988, at 12 Ill. Reg. 18100

10) Has JCARE issued a Statement of Objections to this (these) rule(s)? No

11) Difference(s) between proposal and final version:

In the last line of Section 1500.10(b)(1) "will" was changed to "shall".

The statutory citation in Section 1500.10(a)(3) has been updated.

In addition, various typographical, grammatical and form changes were made in response to the comments received from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and JCARE been made as indicated in the agreement letter issued by JCARE? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect?
No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendment: These amendments change the examination application requirements, require the applicant to submit an English translation for documents which are submitted in a foreign language, and will allow applicants to sit for the examination prior to graduation.

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These rules were originally amended under Part 500 at 11 Ill. Reg. 20966, effective December 9, 1987, however, when the Department transferred its rules (January 1, 1988) due to the name change, these rules were inadvertently omitted. Therefore, it was necessary to re-adopt these amendments.

16) Information and questions regarding this adopted rule shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1500

VETERINARY MEDICINE AND SURGERY PRACTICE ACT

Section
1500.5
1500.10
1500.11
1500.15
1500.20
1500.25
1500.30
1500.35
1500.45
1500.50
1500.55
1500.60
1500.65
1500.70

Approved Veterinary Medicine and Surgery Programs
Application for Examination by Graduates of Approved Programs
Application by Graduates of Unapproved Programs
Temporary Permit
Examination
Continuing Education
Endorsement
Reinstatement/Restoration
Renewals
Standards of Professional Conduct
Advertising
Conduct of Hearings
Annual Report of Board
Granting Variances

AUTHORITY: Implementing The Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat. 1987, ch. 111, par. 7001 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Veterinary Medicine and Surgery Practice Act, effective January 1, 1984; amended at 2 Ill. Reg. 23, p. 13, effective June 10, 1978; codified at 5 Ill. Reg. 11070; amended at 6 Ill. Reg. 2004, effective January 30, 1982; Part Repealed, New Part Adopted at 9 Ill. Reg. 16327, effective October 10, 1985; transferred from Chapter I, 68 Ill. Adm. Code 500 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1500 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988; at 12 Ill. Reg. 2982; amended at 13 Ill. Reg. 3826, effective March 10, 1989.

Section 1500.10 Application for Examination by Graduates of Approved Programs

- a) An applicant for examination for licensure to practice veterinary medicine and surgery who is a graduate of an approved program of veterinary medicine and surgery which meets the requirements set forth in Section 1500.5 shall file an application with the Department or its designated testing service on forms supplied by the Department or its

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designated testing service at least 60 days prior to an examination date. The application shall include:

- a) 1 recent photograph not larger than 2-1/2 by 2-1/2; and
- b) Either:
 - 1) A complete work history indicating all employment since graduation from an approved veterinary program to the time of application;
 - 2) Certification of successful completion of at least 2 years of pre-veterinary collegiate training, and graduation from a 4 year curriculum in a an approved program of veterinary medicine and surgery program (Certificate of Pre-veterinary and Veterinary Education); or and
 - 3) In the case of applicants applying within 90 days of the date of graduation, an affidavit from the dean of an approved veterinary program that the applicant will successfully complete the curriculum; however, no license will be issued until the Department receives the certification provided in subsection (b)(1), above; and
- e) 3) The required fee specified in Section 14 of the Veterinary Medicine and Surgery Practice Act (Ill.Rev.Stat.1984 1987, Supp. ch. 111, par. 7001 et seq.).

b) Examination prior to graduation

- 1) An applicant enrolled in an approved veterinary program will be admitted to the May or December examination prior to graduation if he provides certification from the college of veterinary medicine that he is expected to graduate. If certification of graduation is not received within 90 days after the scheduled graduation date, the results of the examination(s) shall be void.
- 2) The results of such examination(s) shall be made available to the applicant but no license shall be issued until the Department has received certification of the applicant's graduation, within 90 days of the scheduled graduation date specified in subsection (1) above.
- 3) In the case of failure of the examination, the applicant must submit his certificate of graduation to the Department or its designated testing service prior to taking the next examination.

(Source: Amended at 13 Ill. Reg. 3826, effective March 10, 1989)

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Section 1500.11 Application by Graduates of Unapproved Programs

- a) An applicant for licensure who is a graduate of an unapproved program of veterinary medicine and surgery in a foreign country must hold a certificate from the American Veterinary Medical Association Educational Commission of Foreign Veterinary Graduates (ECFVG). Application shall be filed on forms supplied by the Department and shall be accompanied by the following:
 - 1 a) An original certificate from the ECFVG, showing:
 - 1) Graduation from an AVMA-listed college, known to be recognized by the government of the country in which it is located;
 - 2) English proficiency as evidenced by passage of the Test of English as a Foreign Language (TOEFL) the Test of Spoken English (TSE);
 - 3) Achievement of a passing score on the National Board Examination (NBE) and the Clinical Competency Test (CCT) at ECFVG Standards for Certification;
 - 4) or Completion of one full year of evaluated clinical experience in an ECFVG Clinic; and
 - 2 b) The required fee specified in Section 14 of the Act.
 - 3) Applicants who submit any document in a foreign language shall submit an original, notarized English translation.

- b) Scores obtained by ECFVG candidates taking the National Board Examination (NBE) and the Clinical Competency Test (CCT) will be registered with the Interstate Reporting Service in New York. At such time as a foreign graduate obtains the ECFVG certificate and applies for licensure in Illinois the scores will be converted to the Illinois passing standard which is a total converted score of 75 based on 1.5 standard deviations below the mean. If the applicant does not achieve a passing converted score at the Illinois standard he will be required to take and pass, at the Illinois standard, the examination(s) on which a passing score was not achieved.

(Source: Amended at 13 Ill. Reg. 3826, effective March 10, 1989)

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1) The Heading of the Part: ADMINISTRATION OF SOCIAL SERVICE PROGRAMS

2) Code Citation: 89 Ill. Adm. Code 130

3) Section Number: Adopted Action:
130.500 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)

5) Effective Date of Amendment: March 17, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 17, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20649)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 130. Under this rule, rules and regulations of

DEPARTMENT OF PUBLIC AID

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an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER C: SOCIAL SERVICES

Section
130.200 Domestic Violence Shelter and Service Programs

PART 130
ADMINISTRATION OF SOCIAL
SERVICE PROGRAMS

SUBPART A: TITLE XX BLOCK GRANT PROGRAM

Section
130.300 Program Administration

130.301 Definitions
130.302 Allocation Methodology for Federal Surplus Commodities
130.310 Distribution Network Agencies
130.311 Local Distribution Centers
130.312 Liability of Distribution Network Agencies
130.313 Reports and Maintenance of Records
130.314 Payment for Distribution
130.315 Second Harvest Shared Maintenance Fees
130.320 Eligibility to Receive Commodities
130.321 Issue Rates of Commodities

Section
130.10 Program Administration
130.15 Definitions
130.20 Goal of Services
130.25 Service Activities
130.30 Expenditure of Block Grant Funds
130.35 Limitations on Services and Expenditures
130.40 Eligibility For Services
130.45 Opportunity to Apply For and Receive Services
130.46 Client Case Records
130.50 Purchase Of Services
130.60 Record Retention
130.70 Fees For Purchased Services
130.71 Fees For Services Provided Through Grants-In-Aid
130.80 Reporting Requirements

SUBPART B: LOCAL INITIATIVE FUND PROGRAM

Section
130.100 Applicability Of Other Sections
130.110 Overview
130.120 Program Administration
130.130 Request For Proposal
130.140 Allied Agency Responsibilities
130.150 Funding Mechanism
130.152 Sources of Local Funds
130.154 Sources of Locally Generated Funds Used to Match Title XX Funds
130.158 Donor Restrictions on Donations (Repealed)
130.160 Reimbursement Process - Donations (Transferred Funds or Co-payments)
130.161 Advance Disbursement System
130.162 Reimbursement Process (Certification of Expended Funds)
130.170 Assignment of Budget Costs

SUBPART C: DOMESTIC VIOLENCE PROGRAM

SUBPART E: INCORPORATION BY REFERENCE

Section
130.500 Incorporation By Reference

AUTHORITY: Implementing and authorized by Sections 9-1, 12-4.5 through 12-4.7, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, pars. 9-1, 12-4.5 through 12-4.7, and 12-13); and Sections 2 and 3 of "An Act in relation to domestic relations and domestic violence shelters and service programs", (Ill. Rev. Stat. 1985 1987, ch. 40, pars. 2402 and 2403).

SOURCE: New rules adopted and codified at 8 Ill. Reg. 6069, effective April 25, 1984; amended at 9 Ill. Reg. 8645, effective May 22, 1985; amended at 9 Ill. Reg. 15882, effective October 6, 1985; amended at 10 Ill. Reg. 11915, effective July 3, 1986; amended at 11 Ill. Reg. 2828, effective January 30, 1987; amended at 13 Ill. Reg. 3831, effective March 17, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART E: INCORPORATION BY REFERENCE

Section 130.500 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this part are incorporated as of

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NOTICE OF ADOPTED AMENDMENT

Section 130.500 Incorporation By Reference (Cont'd)

the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Regc 383, effective March 17, 1989)

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NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: APPLICATION PROCESS

2) Code Citation: 89 Ill. Adm. Code 110

3) Section Number: Adopted Action:

110.1

New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes X No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20670)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 110. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 110
APPLICATION PROCESS

Section	Incorporation By Reference
110.1	Application For Assistance
110.10	Local Office Action on Application for Public Assistance
110.15	Time Limitations On the Disposition On An Application Approval of An Application and Initial Authorization Of Financial Assistance
110.20	Approval of An Application and Initial Authorization of Medical Assistance (MAG)
110.32	Approval of An Application and Initial Authorization of Medical Assistance - No Grant (WANG)
110.34	Approval of An Application and Initial Authorization of General Assistance and Aid to the Medically Indigent
110.36	General Assistance and Aid to the Medically Indigent -- Special Approval Provisions
110.38	Denial of An Application
110.40	

AUTHORITY: Implementing Articles III, IV, V, VI and VII authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-5 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Filed and effective December 30, 1977; emergency amendment at 2 Ill. Reg. 44, p. 167, effective October 19, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 6 Ill. Reg. 8125, effective July 1, 1982; codified at 7 Ill. Reg. 5195; amended at 8 Ill. Reg. 6760, effective May 3, 1984; amended at 9 Ill. Reg. 6798, effective April 30, 1985; amended at 9 Ill. Reg. 13087, effective August 16, 1985; amended at 12 Ill. Reg. 11457, effective July 1, 1988; amended at 13 Ill. Reg. 3836 effective March 10, 1989.

Section 110.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 110.1 Incorporation By Reference (cont'd.)

incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3836, effective March 10, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: ASSISTANCE STANDARDS

2) Code Citation: 89 Ill. Adm. Code 111

3) Section Number: Adopted Action:

111.1 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes X No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20674)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an Emergency Amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This new Section explains how incorporated by reference applies to 89 Ill. Adm. Code 111. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 111
ASSISTANCE STANDARDS

Section	Incorporation By Reference
111.1	Establishment of Assistance Standards
111.10	Computation of the Assistance Standards
111.20	Amount of Assistance Standards (Family of 1)
111.30	Amount of Assistance Standards (Family of 2)
111.40	Amount of Assistance Standards (Family of 3)
111.50	Amount of Assistance Standards (Family of 4)
111.60	Amount of Assistance Standards (Family of 5)
111.70	Amount of Assistance Standards (Family of 6)
111.80	Amount of Assistance Standards (Family of 7 thru 18)
111.90	Amount of Assistance Standards (Family of 7 thru 18)
111.100	Amount of Assistance Standards (Child-Only Cases) (Repealed)
111.101	Current Assistance Standards
111.110	Adjustments Following Court Orders

AUTHORITY: Implementing Articles III, IV and VI and authorized by Sections 12-4.11 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq., 12-4.11 and 12-13).

SOURCE: Filed and effective December 30, 1977; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended at 8 Ill. Reg. 223, effective December 27, 1983; amended at 9 Ill. Reg. 295, effective January 1, 1985; amended at 10 Ill. Reg. 1920, effective January 17, 1986; amended at 11 Ill. Reg. 2297, effective January 16, 1987; amended at 12 Ill. Reg. 871, effective January 1, 1988; amended at 13 Ill. Reg. 85, effective January 1, 1989; amended at 13 Ill. Reg. 3840, effective March 10, 1989.

Section 111.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3840, effective March 10, 1989)

- 1) The Heading of the Part: COLLECTIONS AND RECOVERIES
- 2) Code Citation: 89 Ill. Adm. Code 165
- 3) Section Number: Adopted Action: 165.1 New Section
- 4) Statutory Authority: Sections 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13)
- 5) Effective Date of Amendment: March 17, 1989
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this rule amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 17, 1989
- 9) Notice of Proposal Published in Illinois Register: December 16, 1988 (12 Ill. Reg. 20679)

- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No changes were made to the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part?

Section Numbers	Proposed Action	Illinois Register Citation
165.70	Amendment	June 17, 1988 (12 Ill. Reg. 10343)
165.100	Amendment	June 17, 1988 (12 Ill. Reg. 10343)

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 165. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONS

PART 165
COLLECTIONS AND RECOVERIES

SUBPART A: GENERAL OVERPAYMENT PROVISIONS

Section

165.1 Incorporation By Reference165.10 Overpayments

165.20 Determination of Financial Assistance Overpayments
165.30 Types of Food Stamp Overpayment Claims
165.40 Determination of Food Stamp Overpayments
165.42 Establishment of Claims for Food Stamp Overpayments
165.50 Suspension and Termination of Food Stamp Claims

SUBPART B: COLLECTION OF FINANCIAL ASSISTANCE
OVERPAYMENTS FROM CURRENT CASES

Section

165.70

Recoupment of Overpayments from Current Aid to Families with Dependent Children (AFDC), Aid to the Aged, Blind or Disabled (AABD) and General Assistance (GA) Cases

SUBPART C: COLLECTION OF FOOD STAMP OVERPAYMENTS FROM
CURRENTLY PARTICIPATING HOUSEHOLDS

Section

165.80

Initiating Collection from Currently Participating Households
165.82 Methods of Food Stamp Claim Repayment
165.84 Determination of Monthly Allotment Reductions
165.86 Failure to Respond to Initial Demand Letter
165.88 Failure to Comply with Repayment Schedule

SUBPART D: COLLECTION OF OVERPAYMENTS FROM NON-RECIPIENTS

Section

165.100

Collection of Overpayments from Persons Not Receiving Financial Assistance or Food Stamps
165.102 Demand for Repayment
165.104 Methods of Involuntary Repayment
165.106 Effect of Return to Active Assistance Status

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

AUTHORITY: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 11-18, 12-4.4 and 12-13).

SOURCE: Recodified from 89 Ill. Adm. Code 102.100 and 102.110 and 89 Ill. Adm. Code 121.200 through 121.208 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 10604, effective May 29, 1987; amended at 12 Ill. Reg. 18192, effective November 4, 1988; amended at 13 Ill. Reg. 3843, effective March 17, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: GENERAL OVERPAYMENT PROVISIONS

Section 165.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3843, effective March 17, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: CRISIS ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 116

3) Section Numbers: Adopted Action:

116.10 New Section

4) Statutory Authority: Sections 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
 Yes _____ No X

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20683)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Differences between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This new section explains how incorporation by reference applies to 89 Ill. Adm. Code Part 116. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date

DEPARTMENT OF PUBLIC AID

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specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
 Office of the General Counsel

Address: 100 South Grand Avenue East, Third Floor
 Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 116
CRISIS ASSISTANCE

- Section
116.10 Incorporation By Reference
116.400 Crisis Assistance Programs
116.500 Special Assistance Program
116.510 Emergency Assistance Program
116.520 Hardship Program

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Filed and effective December 30, 1977; amended at 4 Ill. Reg. 13, p. 1287, effective March 17, 1980; amended at 5 Ill. Reg. 12722, effective October 28, 1981; codified at 7 Ill. Reg. 5195; emergency amendment at 9 Ill. Reg. 18154, effective November 15, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 11027, effective June 11, 1986; amended at 11 Ill. Reg. 6487 effective March 17, 1987; amended at 12 Ill. Reg. 14207, effective August 30, 1988; amended at 13 Ill. Reg. 3847, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 116.10 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3847, effective March 10, 1989)

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: DRUG MANUAL
2) Code Citation: 89 Ill. Adm. Code 141

3) Section Numbers: Adopted Action:

- 141.200 Amendment
141.560 Amendment
141.720 Amendment
141.1280
141.1680 Amendment
141.2600 Amendment
141.2760 Amendment
141.2920 Amendment
141.2960 Amendment
141.3280 Amendment
141.3600 Amendment
141.3800 Amendment
141.3920 Amendment
141.4200 Amendment
141.4230 New Section
141.4800 Amendment

- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1005.02)

- 5) Effective Date of Amendments: March 17, 1989

- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

- 7) Do these amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: March 17, 1989

- 9) Notices of Proposal Published in Illinois Register:

December 9, 1988 (12 Ill. Reg. 20370)

- 10) Has JCAR issued a Statement of Objections to these amendments? No

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

11) Differences between proposal and final version: No changes were made to these amendments

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual. Additionally, several non-substantive changes were made to the rules (i.e., the drugs listed in Section 141.1680 are alphabetized or revised to reflect packaging changes).

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris II Building
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 141
DRUG MANUAL

Section	
141.10	DRUG MANUAL
141.100	AGENCY NOTES
141.200	ANALGESICS/NARCOTIC ANTAGONISTS: ANTIRHEUMATIC
141.240	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
141.320	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC ANTAGONISTS
141.360	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC AGONISTS
141.400	ANALGESICS/NARCOTIC ANTAGONISTS: NONOPIATE AGONISTS
141.440	ANTI-ALCOHOL
141.480	ANTICONSULSANTS
141.520	ANTIDOTES
141.560	ANTIHYPERTENSIVES
141.600	ANTIMICROBIAL: AMINOGLYCOSIDES
141.640	ANTIMICROBIAL: ANTIFUNGALS
141.680	ANTIMICROBIAL: ANTITUBERCULARS
141.720	ANTIMICROBIAL: CEPHALOSPORINS
141.760	ANTIMICROBIAL: ERYTHROMYCINS
141.800	ANTIMICROBIAL: MISCELLANEOUS
141.840	ANTIMICROBIAL: NITROFURANTOINS
141.880	ANTIMICROBIAL: PENICILLINS
141.920	ANTIMICROBIAL: SULFONAMIDES
141.960	ANTIMICROBIAL: TETRACYCLINES
141.1000	ANTIMICROBIAL: VACCINES
141.1040	BLOOD: ANTIANEMIA
141.1080	BLOOD: ANTICOAGULANT
141.1120	BLOOD: HEMOSTATIC
141.1125	BLOOD: MISCELLANEOUS
141.1160	CALCIUM
141.1200	CARDIOVASCULAR: ANGIANGINAL
141.1240	CARDIOVASCULAR: ANTIARRHYTHMIC
141.1280	CARDIOVASCULAR: ANTIHYPERLIPIDEMICS
141.1320	CARDIOVASCULAR: BETA BLOCKERS
141.1360	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1400	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1440	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
141.1520	DIURETICS
141.1560	DOPAMINE RECEPTOR AGONISTS
141.1600	ENZYMES

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Section	
141.1640	EYE/EAR/NOSE/THROAT: ANTIBIOTICS
141.1680	EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
141.1720	EYE/EAR/NOSE/THROAT: ANTIVIRALS
141.1760	EYE/EAR/NOSE/THROAT: ANTIBIOTIC/ANTI-INFLAMMATORY
141.1800	EYE/EAR/NOSE/THROAT: LOCAL ANESTHETICS
141.1840	EYE/EAR/NOSE/THROAT: LUBRICANTS
141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
141.1920	EYE/EAR/NOSE/THROAT: MISCELLANEOUS
141.1960	EYE/EAR/NOSE/THROAT: MISCELLANEOUS ANTI-INFECTIVES
141.2000	EYE/EAR/NOSE/THROAT: MYDRIATICS
141.2040	EYE/EAR/NOSE/THROAT: SULFONAMIDES
141.2080	EYE/EAR/NOSE/THROAT: SULFONAMIDE/ANTI-INFLAMMATORY
141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
141.2160	GASTROINTESTINAL: ANTACID/ADSORBENTS
141.2200	GASTROINTESTINAL: ANTIDIARRHEA
141.2240	GASTROINTESTINAL: ANTISPASMODICS
141.2280	GASTROINTESTINAL: DIGESTANTS
141.2320	GASTROINTESTINAL: EMETICS/ANTIEMETICS
141.2360	GASTROINTESTINAL: LAXATIVES
141.2400	GASTROINTESTINAL: MISCELLANEOUS
141.2440	GLUCOSE ELEVATORS
141.2480	HOMEOSTATIC/NUTRITIONAL: ACIDIFIERS
141.2520	HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS
141.2560	HOMEOSTATIC/NUTRITIONAL: AMMONIA DETOXICANTS
141.2600	HOMEOSTATIC/NUTRITIONAL: INSULIN
141.2640	HOMEOSTATIC/NUTRITIONAL: IV FLUIDS
141.2680	HOMEOSTATIC/NUTRITIONAL: ORAL HYPOGLYCEMICS
141.2720	HOMEOSTATIC/NUTRITIONAL: VITAMINS
141.2760	HORMONES/AGENTS AFFECTING MECHANISMS: ADRENAL
141.2800	CORTICAL STEROIDS
141.2840	HORMONES/AGENTS AFFECTING MECHANISMS: ANABOLIC
141.2880	HORMONES/AGENTS AFFECTING MECHANISMS: ANDROGENS
141.2920	HORMONES/AGENTS AFFECTING MECHANISMS: ANTITHYROID
141.2960	ESTROGENS/PROGESTINS
141.3000	HORMONES/AGENTS AFFECTING MECHANISMS: ORAL CONTRACEPTIVES
141.3040	HORMONES/AGENTS AFFECTING MECHANISMS: OXYTOCICS
141.3080	HORMONES/AGENTS AFFECTING MECHANISMS: PARATHYROID
141.3120	HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY
141.3160	HYDROCHOLERETICS
141.3200	IMMUNOSUPPRESSIVES
141.3240	IRRIGATION SOLUTIONS
141.3280	MEDICAL SUPPLIES
141.3320	MISCELLANEOUS

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section	
141.3360	NEUROMUSCULAR DISORDERS: MYASTHENIA GRAVIS
141.3400	ONCOLYTIC/ANTINEOPLASTIC: ALKYLATING
141.3440	ONCOLYTIC/ANTINEOPLASTIC: ANTIBIOTICS
141.3480	ONCOLYTIC/ANTINEOPLASTIC: ANTIMETABOLITES
141.3520	ONCOLYTIC/ANTINEOPLASTIC: HORMONES
141.3560	ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
141.3600	OSTOMY SUPPLIES
141.3640	PARASITICIDAL: ANTHELMINTICS
141.3680	PARASITICIDAL: ANTIPROTOZOALS
141.3720	POTASSIUM
141.3760	PSYCHOTHERAPEUTIC: ANTIANXIETY
141.3800	PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS
141.3840	PSYCHOTHERAPEUTIC: ANTIMANIC
141.3880	PSYCHOTHERAPEUTIC: ANTIPARKINSON
141.3920	PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC
141.3960	PSYCHOTHERAPEUTIC: MISCELLANEOUS
141.4000	PSYCHOTHERAPEUTIC: SEDATIVE/HYPNOTIC
141.4040	RESPIRATORY/ALLERGIC: ANTIASTHMATIC
141.4080	RESPIRATORY/ALLERGIC: ANTIHISTAMINE
141.4120	RESPIRATORY STIMULANTS
141.4160	SKELETAL MUSCLE RELAXANTS
141.4200	SKIN/MUCOUS MEMBRANE: ANTIBIOTICS
141.4230	SKIN/MUCOUS MEMBRANE: ANTIFUNGAL/ANTI-INFLAMMATORY
141.4240	SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES
141.4280	SKIN/MUCOUS MEMBRANE: ANTIPRURITICS/ANESTHETICS
141.4320	SKIN/MUCOUS MEMBRANE: ASTRINGENTS
141.4360	SKIN/MUCOUS MEMBRANE: DERMAL ULCERS
141.4400	SKIN/MUCOUS MEMBRANE: FUNGICIDES
141.4480	SKIN/MUCOUS MEMBRANE: KERATOCYTIC
141.4520	SKIN/MUCOUS MEMBRANE: LOCAL ANTI-INFECTIVES
141.4560	SKIN/MUCOUS MEMBRANE: MISCELLANEOUS
141.4600	SKIN/MUCOUS MEMBRANE: SCABICIDES/PEDICULOCIDES
141.4640	TESTING SUPPLIES
141.4680	UNCLASSIFIED
141.4720	URINARY ANTISPASMODICS
141.4760	VAGINAL: ANTI-INFECTIVES
141.4800	VAGINAL: MISCELLANEOUS

AUTHORITY: Implementing and authorized by Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 5-5 and 12-13).

SOURCE: Emergency amendment at 5 Ill. Reg. 13555, effective December 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9991, effective August 1, 1982; emergency amendment at 6 Ill. Reg. 10042, effective August 1, 1982, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 1178, effective

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NOTICE OF ADOPTED AMENDMENTS

February 1, 1983, for a maximum of 150 days; amended and codified as 89 Ill. Adm. Code 140.72 at 7 Ill. Reg. 17358, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13779, effective July 24, 1984; recodified from 89 Ill. Adm. Code 140.72 and 89 Ill. Adm. Code 140.73 at 8 Ill. Reg. 16354; amended at 9 Ill. Reg. 3335, effective March 1, 1985; amended at 9 Ill. Reg. 19018, effective December 1, 1985; emergency amendment at 10 Ill. Reg. 8153, effective May 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 17681, effective September 28, 1986; emergency amendment at 10 Ill. Reg. 20828, effective December 1, 1986, for a maximum of 150 days; recodified from 89 Ill. Adm. Code 140.71 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 5235, effective March 12, 1987; emergency amendment at 11 Ill. Reg. 5330, effective March 13, 1987 for a maximum of 150 days; amended at 11 Ill. Reg. 11113, effective June 10, 1987; emergency amendment at 11 Ill. Reg. 11361, effective June 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16726, effective September 30, 1987; emergency amendment of 11 Ill. Reg. 20236, effective December 1, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7358, effective April 12, 1988; emergency amendment at 12 Ill. Reg. 10197, effective June 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14219, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 15667, effective September 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 20851, effective December 2, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 516, effective December 28, 1988; amended at 13 Ill. Reg. 3850, effective March 17, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SECTION 141.200 ANALGESICS/NARCOTIC ANTAGONISTS:
ANTIRHEUMATIC

Item Number	Drug Name and Strength
** 50002091	DICLOFENAC SODIUM TABLET 25MG
** 50002093	DICLOFENAC SODIUM TABLET 50MG
** 50002095	DICLOFENAC SODIUM TABLET 75MG
** 50006495	DIFLUNISAL TABLET 250MG
** 50006496	DIFLUNISAL TABLET 500MG
** 50001730	FENOPROFEN CAPSULE 200MG
** 50001731	FENOPROFEN CAPSULE 300MG
** 50001732	FENOPROFEN TABLET 600MG
** 50000590	IBUPROFEN TABLET 300MG
** 50000592	IBUPROFEN TABLET 400MG

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.200 ANALGESICS/NARCOTIC ANTAGONISTS:
ANTIRHEUMATIC (Cont'd)

Item Number	Drug Name and Strength
** 50000594	IBUPROFEN TABLET 600MG
** 50000597	IBUPROFEN TABLET 800MG
** 50000610	INDOMETHACIN CAPSULE 25MG
** 50000612	INDOMETHACIN CAPSULE 50MG
** 50001733	INDOMETHACIN CAPSULE 75MG SUSTAINED RELEASE
** 50001711	INDOMETHACIN INJECTION 3MG VIAL
** 50000608	INDOMETHACIN SUPPOSITORY 50MG
** 50000617	INDOMETHACIN SUSPENSION 25MG/5ML
** 50004963	KETOPROFEN CAPSULE 25MG
** 50004967	KETOPROFEN CAPSULE 50MG
** 50004969	KETOPROFEN CAPSULE 75MG
** 50004971	KETOPROFEN TABLET 75MG
** 50001734	MECLOFENAMATE SODIUM CAPSULE 50MG
** 50001735	MECLOFENAMATE SODIUM CAPSULE 100MG
** 50001736	MEFENAMIC ACID CAPSULE 250MG
00067763	MYOCHRYSINE INJECTION 10MG/ML 1ML AMP
00068762	MYOCHRYSINE INJECTION 25MG/ML 1ML AMP
00067762	MYOCHRYSINE INJECTION 50MG/ML 1ML AMP
** 50001740	MYOCHRYSINE INJECTION 50MG/ML 10ML VIAL
** 50001747	NAPROXEN SODIUM TABLET 275MG
** 50001737	NAPROXEN SODIUM TABLET 550MG
** 50001738	NAPROXEN TABLET 250MG
** 50001739	NAPROXEN TABLET 375MG
** 60008050	NAPROXEN TABLET 500MG
	NONSTEROIDAL ANTI-INFLAMMATORY-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
00315816	PABALATE TABLET 100'S
** 50001741	PIROXICAM CAPSULE 10MG
** 50001742	PIROXICAM CAPSULE 20MG
** 00074879	RIDAURA CAPSULE 3MG
** 00850460	SOLGANOL INJECTION IN OIL 50MG/ML 10ML VIAL
** 50001743	SULINDAC TABLET 150MG
** 50001744	SULINDAC TABLET 200MG
** 50001746	TOLMETIN SODIUM CAPSULE 400MG
** 50001745	TOLMETIN SODIUM TABLET 200MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.560 ANTIHYPERTENSIVES

Item Number	Drug Name and Strength
** 00030450	CAPOTEN TABLET 12.5MG
** 00030452	CAPOTEN TABLET 25MG
** 00030562	CAPOTEN TABLET 50MG
** 00030485	CAPOTEN TABLET 100MG
** 00030338	CAPOZIDE TABLET 25/15
** 00030349	CAPOZIDE TABLET 25/25
** 00030384	CAPOZIDE TABLET 50/15
** 00030390	CAPOZIDE TABLET 50/25
** 05970031	CATAPRES-TTS-1 PATCHES
** 05970032	CATAPRES-TTS-2 PATCHES
** 05970033	CATAPRES-TTS-3 PATCHES
** 50000941	CLONIDINE HCL TABLET 0.1MG
** 50000943	CLONIDINE HCL TABLET 0.2MG
** 50000945	CLONIDINE HCL TABLET 0.3MG
** 00030283	CORZIDE TABLET 40MG; 5MG
** 00030284	CORZIDE TABLET 80MG; 5MG
** 00830047	ESMIL TABLET
** 50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
** 50001616	GUANETHIDINE MONOSULFATE TABLET 25MG
** 50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
** 50003074	HYDRALAZINE HCL TABLET 10MG
** 50003076	HYDRALAZINE HCL TABLET 25MG
** 50003078	HYDRALAZINE HCL TABLET 50MG
** 50003080	HYDRALAZINE HCL TABLET 100MG
** 50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
** 50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAP/TAB
** 50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAP/TAB
** 50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAP/TAB
** 50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
** 50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET
** 50002343	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 200MG TABLET
** 50002345	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 300MG TABLET
** 50002983	HYDROCHLOROTHIAZIDE 25MG; METHYLDOPA 250MG TABLET
** 50005520	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 40MG TABLET

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.560 ANTIHYPERTENSIVES (Cont'd.)

Item Number	Drug Name and Strength
** 50005522	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 80MG TABLET
** 50003090	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.1MG TABLET
** 50003094	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.125MG TABLET
** 50002985	HYDROCHLOROTHIAZIDE 30MG; METHYLDOPA 500MG TABLET
** 50002987	HYDROCHLOROTHIAZIDE 50MG; METHYLDOPA 500MG TABLET
** 50004021	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 80MG LA CAPSULE
** 50004023	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 120MG LA CAPSULE
** 50004025	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 160MG LA CAPSULE
** 50003092	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.1MG TABLET
** 50003096	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.125MG TABLET
** 00180787	HYLOREL TABLET 10MG
** 00180788	HYLOREL TABLET 25MG
** 00743322	HYTRIN TABLET 1MG
** 00743323	HYTRIN TABLET 2MG
** 00743324	HYTRIN TABLET 5MG
** 50001825	LISINOPRIL TABLET 5MG
** 50001827	LISINOPRIL TABLET 10MG
** 50001829	LISINOPRIL TABLET 20MG
** 00750082	LOZOL TABLET 2.5MG
** 50000712	METHYLDOPA ORAL SUSPENSION 250MG/5ML
** 50000714	METHYLDOPA TABLET 125MG
** 50000716	METHYLDOPA TABLET 250MG
** 50000718	METHYLDOPA TABLET 500MG
** 50000710	METHYLDOPATE HCL INJECTION 250MG/5ML
** 00694310	MINIPRESS CAPSULE 1.0MG
** 00694370	MINIPRESS CAPSULE 2.0MG
** 00694380	MINIPRESS CAPSULE 5.0MG
** 00694300	MINIZIDE CAPSULE 1.0MG/0.5MG
** 00694320	MINIZIDE CAPSULE 2.0MG/0.5MG
** 00694360	MINIZIDE CAPSULE 5.0MG/0.5MG
** 50002096	MINOXIDIL TABLET 2.5MG
** 50002098	MINOXIDIL TABLET 10MG
** 50005223	RESERPINE TABLET 0.1MG
** 50005231	RESERPINE TABLET 0.25MG

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SECTION 141.560 ANTIHYPERTENSIVES (Cont'd.)

SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
** 00318901	TENEX TABLET 1MG
** 00060067	TIMOLIDE TABLET 10/25
** 00060720	VASERETIC TABLET 10/25
** 00063508	VASOTEC INJECTION 1.25MG/ML 2ML VIAL
** 00060014	VASOTEC TABLET 2.5MG
** 00060712	VASOTEC TABLET 5MG
** 00060713	VASOTEC TABLET 10MG
** 00060714	VASOTEC TABLET 20MG
** 00080073	WYTENSIN TABLET 4MG
** 00080074	WYTENSIN TABLET 8MG
** 00080092	WYTENSIN TABLET 16MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS

Item Number	Drug Name and Strength
** 50001210	CEFACLOX CAPSULE 250MG
** 50001211	CEFACLOX CAPSULE 500MG
** 50001212	CEFACLOX ORAL SUSPENSION 125MG/5ML 75ML
** 50001213	CEFACLOX ORAL SUSPENSION 125MG/5ML 150ML
** 50001203	CEFACLOX ORAL SUSPENSION 187MG/5ML 50ML
** 50001205	CEFACLOX ORAL SUSPENSION 187MG/5ML 100ML
** 50001214	CEFACLOX ORAL SUSPENSION 250MG/5ML 75ML
** 50001215	CEFACLOX ORAL SUSPENSION 250MG/5ML 150ML
** 50001207	CEFACLOX ORAL SUSPENSION 375MG/5ML 50ML
** 50001209	CEFACLOX ORAL SUSPENSION 375MG/5ML 100ML
** 50003419	CEFADROXIL CAPSULE 500MG
** 50003390	CEFADROXIL ORAL SUSPENSION 125MG/5ML 50ML
** 50003391	CEFADROXIL ORAL SUSPENSION 125MG/5ML 100ML
** 50003392	CEFADROXIL ORAL SUSPENSION 250MG/5ML 50ML
** 50003393	CEFADROXIL ORAL SUSPENSION 250MG/5ML 100ML
** 50001225	CEFADROXIL ORAL SUSPENSION 500MG/5ML 100ML
** 50003417	CEFADROXIL TABLET 1GM
** 50001240	CEFAMANDOLE NAFATE INJECTION 500MG/10ML VIAL
** 50001241	CEFAMANDOLE NAFATE INJECTION 1GM/10ML VIAL
** 50003210	CEFAMANDOLE NAFATE INJECTION 1GM/100ML PB VIAL
** 50001242	CEFAMANDOLE NAFATE INJECTION 2GM/10ML VIAL
** 50003212	CEFAMANDOLE NAFATE INJECTION 2GM/100ML PB VIAL

Item Number	Drug Name and Strength
** 50008054	CEFAZOLIN SODIUM INJECTION 250MG 10ML VIAL
** 50008055	CEFAZOLIN SODIUM INJECTION 500MG 10ML VIAL
** 50008059	CEFAZOLIN SODIUM INJECTION 500MG 100ML PB VIAL
** 50008056	CEFAZOLIN SODIUM INJECTION 1GM 10ML VIAL
** 50008060	CEFAZOLIN SODIUM INJECTION 1GM 100ML PB VIAL
** 50008057	CEFAZOLIN SODIUM INJECTION 5GM 100ML VIAL
** 50008058	CEFAZOLIN SODIUM INJECTION 10GM 100ML VIAL
** 50003218	CEFAZOLIN SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%)
** 50003220	CEFAZOLIN SODIUM; SODIUM CHLORIDE INJECTION 1GM/50ML; 450MG/50ML (0.9%)
** 50004740	CEFONICID SODIUM INJECTION 500MG/10ML VIAL
** 50004742	CEFONICID SODIUM INJECTION 1GM/10ML VIAL
** 50004744	CEFONICID SODIUM INJECTION 1GM/100ML PB VIAL
** 50004746	CEFONICID SODIUM INJECTION 10GM/100ML VIAL
** 50001243	CEFOPERAZONE SODIUM INJECTION 1GM VIAL
** 50001244	CEFOPERAZONE SODIUM INJECTION 2GM VIAL
** 50004015	CEFORANIDE INJECTION 500MG PB VIAL
** 50004011	CEFORANIDE INJECTION 500MG VIAL
** 50004017	CEFORANIDE INJECTION 1GM PB VIAL
** 50004013	CEFORANIDE INJECTION 1GM VIAL
** 50001906	CEFORANIDE INJECTION 10GM VIAL
** 50001245	CEFOTAXIME SODIUM INJECTION 500MG VIAL
** 50003222	CEFOTAXIME SODIUM INJECTION 1GM INFUSION VIAL
** 50001246	CEFOTAXIME SODIUM INJECTION 1GM VIAL
** 50003224	CEFOTAXIME SODIUM INJECTION 2GM INFUSION VIAL
** 50001247	CEFOTAXIME SODIUM INJECTION 2GM VIAL
** 50002391	CEFOTETAN DISODIUM INJECTION 1GM/10ML
** 50002393	CEFOTETAN DISODIUM INJECTION 1GM/100ML
** 50002395	CEFOTETAN DISODIUM INJECTION 2GM/20ML
** 50002397	CEFOTETAN DISODIUM INJECTION 2GM/100ML
** 50001248	CEFOXITIN SODIUM INJECTION 1GM/10ML VIAL
** 50003230	CEFOXITIN SODIUM INJECTION 1GM/100ML INFUSION VIAL
** 50001249	CEFOXITIN SODIUM INJECTION 2GM/20ML VIAL
** 50003232	CEFOXITIN SODIUM INJECTION 2GM/100ML INFUSION VIAL
** 50002361	CEFTAZIDIME INJECTION 500MG VIAL
** 50002363	CEFTAZIDIME INJECTION 1GM PB VIAL
** 50002365	CEFTAZIDIME INJECTION 1GM VIAL
** 50002367	CEFTAZIDIME INJECTION 2GM PB VIAL
** 50002369	CEFTAZIDIME INJECTION 2GM VIAL
** 50002371	CEFTAZIDIME INJECTION 6GM VIAL

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SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
**	CEFTIZOXIME SODIUM INJECTION 1GM PB VIAL
**	CEFTIZOXIME SODIUM INJECTION 1GM VIAL
**	CEFTIZOXIME SODIUM INJECTION 2GM PB VIAL
**	CEFTIZOXIME SODIUM INJECTION 2GM VIAL
**	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%) BAG
**	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 2GM/50ML; 2.5GM/50ML (5%) BAG
**	CEFTRIAXONE SODIUM INJECTION 250MG VIAL
**	CEFTRIAXONE SODIUM INJECTION 500MG VIAL
**	CEFTRIAXONE SODIUM INJECTION 1GM PB VIAL
**	CEFTRIAXONE SODIUM INJECTION 1GM VIAL
**	CEFTRIAXONE SODIUM INJECTION 2GM PB VIAL
**	CEFTRIAXONE SODIUM INJECTION 2GM VIAL
**	CEFUROXIME AXETIL TABLET 125MG
**	CEFUROXIME AXETIL TABLET 250MG
**	CEFUROXIME AXETIL TABLET 500MG
**	CEFUROXIME SODIUM INJECTION 750MG INFUSION VIAL
**	CEFUROXIME SODIUM INJECTION 750MG VIAL
**	CEFUROXIME SODIUM INJECTION 1.5GM INFUSION VIAL
**	CEFUROXIME SODIUM INJECTION 1.5GM VIAL
**	CEFUROXIME SODIUM INJECTION 7.5GM/100ML
**	CEPHALEXIN CAPSULE 250MG
**	CEPHALEXIN CAPSULE 500MG
**	CEPHALEXIN HCL TABLET 250MG
**	CEPHALEXIN HCL TABLET 500MG
**	CEPHALEXIN ORAL SUSPENSION 100MG/ML 10ML
**	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 60ML BOTTLE
**	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200 100ML BOTTLE
**	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
**	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
**	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
**	CEPHALEXIN TABLET 250MG
**	CEPHALEXIN TABLET 500MG
**	CEPHALEXIN TABLET 1GM

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SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
** 60008010	CEPHALOSPORIN-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008009	CEPHALOSPORIN-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50001273	CEPHALOTHIN SODIUM INJECTION 1GM/10ML VIAL
** 50004103	CEPHALOTHIN SODIUM INJECTION 1GM/100ML VIAL
** 50001274	CEPHALOTHIN SODIUM INJECTION 2GM/10ML VIAL
** 50004105	CEPHALOTHIN SODIUM INJECTION 2GM/100ML VIAL
** 50001275	CEPHALOTHIN SODIUM INJECTION 4GM/50ML VIAL
** 50001276	CEPHALOTHIN SODIUM INJECTION 4GM/50ML 20GM/200ML VIAL
** 50001290	CEPHAPIRIN SODIUM INJECTION 500MG VIAL
** 50004107	CEPHAPIRIN SODIUM INJECTION 1GM PB VIAL
** 50001291	CEPHAPIRIN SODIUM INJECTION 1GM VIAL
** 50004109	CEPHAPIRIN SODIUM INJECTION 2GM PB VIAL
** 50001292	CEPHAPIRIN SODIUM INJECTION 2GM VIAL
** 50001293	CEPHAPIRIN SODIUM INJECTION 4GM PB VIAL
** 50001294	CEPHAPIRIN SODIUM INJECTION 20GM VIAL
** 50001600	CEPHRADINE CAPSULE 250MG
** 50001601	CEPHRADINE CAPSULE 500MG
** 50003756	CEPHRADINE INJECTION 2GM INFUSION VIAL
** 50003757	CEPHRADINE INJECTION 4GM INFUSION VIAL
** 50001605	CEPHRADINE ORAL SUSPENSION 125MG/5ML 100ML BOTTLE
** 50002310	CEPHRADINE ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
** 50001608	CEPHRADINE ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
** 50002311	CEPHRADINE ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
** 50001602	CEPHRADINE TABLET 1GM
** 50003753	CEPHRADINE INJECTION 250MG VIAL
** 50003754	CEPHRADINE INJECTION 500MG VIAL
** 50003755	CEPHRADINE INJECTION 1GM VIAL
** 50001298	MOXALACTAM DISODIUM INJECTION 1GM VIAL
** 50001299	MOXALACTAM DISODIUM INJECTION 2GM VIAL

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

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SECTION 141.1280 CARDIOVASCULAR: ANTIHYPERLIPIDEMICS

SECTION 141.1680 EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
(Cont'd.)

Item Number	Drug Name and Strength
00481230	CHOLIXIN TABLET 1MG
00481250	CHOLIXIN TABLET 2MG
00481270	CHOLIXIN TABLET 4MG
00481290	CHOLIXIN TABLET 6MG
50002851	CLOFIBRATE CAPSULE 500MG
00090260	COLESTID POWDER - BOTTLE 500GM
00091260	COLESTID POWDER - PACKETS
00710669	LOPID CAPSULE 300MG
**	
**	LOPID TABLET 600MG
01830051	LORELCO TABLET 250MG
00680053	LORELCO TABLET 500MG
00060731	MEVACOR TABLET 20MG
**	
00871580	QUESTRAN POWDER PACKET 4GM
**	
00870580	QUESTRAN POWDER 378CM CAN
**	

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.1680 EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY

Item Number	Drug Name and Strength
500002332	DEXAMETHASONE OPHTHALMIC SUSPENSION 0.1% #5 ML BOTTLE
500002333	DEXAMETHASONE OPHTHALMIC SUSPENSION 0.1% 15ML BOTTLE
500002334	DEXAMETHASONE SODIUM PHOSPHATE OPHTHALMIC OINTMENT 0.05%
500002330	DEXAMETHASONE SODIUM PHOSPHATE OPHTHALMIC SOLUTION 0.1% 2.5ML
500002331	DEXAMETHASONE SODIUM PHOSPHATE OPHTHALMIC SOLUTION 0.1% 5ML
50000417	FLUOROMETHOLONE OPHTHALMIC OINT 0.1% 3.5GM
50000411	FLUOROMETHOLONE OPHTHALMIC SUSP 0.1% 5ML
50000413	FLUOROMETHOLONE OPHTHALMIC SUSP 0.1% 10ML
50000415	FLUOROMETHOLONE OPHTHALMIC SUSP 0.1% 15ML
00231074	H M S LIQUIFILM OPHTHALMIC SUSPENSION 5ML
00230074	H M S LIQUIFILM OPHTHALMIC SUSPENSION 10ML
01190801	OCUFEN LIQUIFILM 0.03% 2.5ML
01191801	OCUFEN LIQUIFILM 0.03% 5ML
01192801	OCUFEN LIQUIFILM 0.03% 10ML

* * *

Item Number	Drug Name and Strength
50000904	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 0.12% 5ML
50000906	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 0.12% 10ML
500009020	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 0.125% 10MB 5ML
500009002	PREDNISOLONE ACETATE OPHTHALMIC SUPENSION 0.125% 5MB 10ML
500009108	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 1.0% 10MB 5ML
500009010	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 1.0% 5MB 10ML
50000911	PREDNISOLONE ACETATE OPHTHALMIC SUSPENSION 1.0% 15ML

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.2600 HOMEOSTATIC/NUTRITIONAL: INSULIN

Item Number	Drug Name and Strength
00031834	INSULIN NOVOLIN N PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
00031833	INSULIN NOVOLIN R PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
00031837	INSULIN NOVOLIN 70/30 PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
50007290	INSULIN U100 LENTE - 1 VIAL
50007291	INSULIN U100 LENTE - 2 VIALS
50007292	INSULIN U100 LENTE - 3 VIALS
50008100	INSULIN U100 NPH - 1 VIAL
50007228	INSULIN U100 NPH - 2 VIALS
50007229	INSULIN U100 NPH - 3 VIALS
50007287	INSULIN U100 PZ - 1 VIAL
50007288	INSULIN U100 PZ - 2 VIALS
50007289	INSULIN U100 PZ - 3 VIALS
50007100	INSULIN U100 REGULAR - 1 VIAL
50007230	INSULIN U100 REGULAR - 2 VIALS
50007231	INSULIN U100 REGULAR - 3 VIALS
50007293	INSULIN U100 SEMI-LENTE - 1 VIAL
50007294	INSULIN U100 SEMI-LENTE - 2 VIALS

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SECTION 141.2600

HOMEOSTATIC/NUTRITIONAL: INSULIN (Cont'd)

Item Number	Drug Name and Strength
** 50007295	INSULIN U100 SEMI-LENTE - 3 VIALS
** 50007296	INSULIN U100 ULTRA-LENTE - 1 VIAL
** 50007297	INSULIN U100 ULTRA-LENTE - 2 VIALS
** 50007298	INSULIN U100 ULTRA-LENTE - 3 VIALS
** 50003483	INSULIN U100 BEEF LENTE - 1 VIAL
** 50007232	INSULIN U100 BEEF LENTE - 2 VIALS
** 50007233	INSULIN U100 BEEF LENTE - 3 VIALS
** 50007299	INSULIN U100 BEEF NPH - 1 VIAL
** 50007300	INSULIN U100 BEEF NPH - 2 VIALS
** 50007301	INSULIN U100 BEEF NPH - 3 VIALS
** 50007151	INSULIN U100 BEEF PZ - 1 VIAL
** 50007145	INSULIN U100 BEEF PZ - 2 VIALS
** 50007153	INSULIN U100 BEEF PZ - 3 VIALS
** 50003484	INSULIN U100 BEEF REGULAR - 1 VIAL
** 50007234	INSULIN U100 BEEF REGULAR - 2 VIALS
** 50007235	INSULIN U100 BEEF REGULAR - 3 VIALS
** 50003485	INSULIN U100 PORK LENTE - 1 VIAL
** 50007238	INSULIN U100 PORK LENTE - 2 VIALS
** 50007239	INSULIN U100 PORK LENTE - 3 VIALS
** 50007302	INSULIN U100 PORK NPH - 1 VIAL
** 50007303	INSULIN U100 PORK NPH - 2 VIALS
** 50007304	INSULIN U100 PORK NPH - 3 VIALS
** 50007341	INSULIN U100 PORK PZ - 1 VIAL
** 50007342	INSULIN U100 PORK PZ - 2 VIALS
** 50007343	INSULIN U100 PORK PZ - 3 VIALS
** 50003486	INSULIN U100 PORK REGULAR - 1 VIAL
** 50007240	INSULIN U100 PORK REGULAR - 2 VIALS
** 50007241	INSULIN U100 PORK REGULAR - 3 VIALS
** 60009927	INSULIN U100, U500 NOT OTHERWISE LISTED (INCLUDING HUMAN)--GIVE FULL DESCRIPTION

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.2760

HORMONES/AGENTS AFFECTING MECHANISMS:
ADRENAL CORTICAL STEROIDS

Item Number	Drug Name and Strength
** 50000118	DEXAMETHASONE ACETATE 8MG/ML 1ML VIAL
** 50000076	DEXAMETHASONE ACETATE 8MG/ML 5ML VIAL
** 50003536	DEXAMETHASONE ORAL SOLUTION 0.5MG/0.5ML 30ML
** 50003538	DEXAMETHASONE ORAL SOLUTION 0.5MG/5ML

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SECTION 141.2760

HORMONES/AGENTS AFFECTING MECHANISMS:
ADRENAL CORTICAL STEROIDS (Cont'd.)

** 50000079	DEXAMETHASONE PHOSPHATE INJ 4MG/ML 1ML V
** 50000080	DEXAMETHASONE PHOSPHATE INJ 4MG/ML 5ML V
** 50000081	DEXAMETHASONE PHOSPHATE INJ 4MG/ML 25ML
** 50001019	DEXAMETHASONE PHOSPHATE INJ 24MG/ML 5ML
** 50001020	DEXAMETHASONE PHOSPHATE INJ 24MG/ML 10ML
** 50001908	DEXAMETHASONE TABLET 0.25MG
** 50001909	DEXAMETHASONE TABLET 0.50MG
** 50001910	DEXAMETHASONE TABLET 0.75MG
** 50001913	DEXAMETHASONE TABLET 1.0MG
** 50001911	DEXAMETHASONE TABLET 1.5MG
** 50001915	DEXAMETHASONE TABLET 2.0MG
** 50001912	DEXAMETHASONE TABLET 4.0MG
** 00030429	FLORINEF ACETATE TABLET 0.1MG
** 50003460	HYDROCORTISONE ACETATE INJ 25MG/ML 5ML V
** 50003461	HYDROCORTISONE ACETATE INJ 50MG/ML 5ML V
** 50003463	HYDROCORTISONE PHOS INJ 50MG/ML 2ML SYRINGE
** 50003462	HYDROCORTISONE PHOS INJ 50MG/ML 2ML VIAL
** 50003465	HYDROCORTISONE PHOS INJ 50MG/ML 10ML VIAL
** 50003466	HYDROCORTISONE SOD SUCCINATE 100MG VIAL
** 50003467	HYDROCORTISONE SOD SUCCINATE 250MG VIAL
** 50003468	HYDROCORTISONE SOD SUCCINATE 500MG VIAL
** 50003121	HYDROCORTISONE TABLET 5MG
** 50003123	HYDROCORTISONE TABLET 10MG
** 50003131	HYDROCORTISONE TABLET 20MG
** 00332906	NASALIDE SOLUTION 0.025% 25ML UNIT
** 50001271	PREDNISOLONE SODIUM PHOSPHATE ORAL LIQ 6.7MG/5ML (5MG PREDNISOLONE BASE/5ML)
** 40001120	PREDNISONE ORAL SOLUTION 5MG/ML 30ML
** 40003001	PREDNISONE ORAL SOLUTION 5MG/5ML
** 50004788	PREDNISONE TABLET 1.0MG
** 50004789	PREDNISONE TABLET 2.5MG
** 50004790	PREDNISONE TABLET 5.0MG
** 50004791	PREDNISONE TABLET 10.0MG
** 50004792	PREDNISONE TABLET 20.0MG
** 50004793	PREDNISONE TABLET 50.0MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

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SECTION 141.2920 HORMONES/AGENTS AFFECTING MECHANISMS:
ESTROGENS/PROGESTINS

Item Number	Drug Name and Strength
50002490	CHLOROTRIANISENE TAB/CAP 12MG
50002492	CHLOROTRIANISENE TAB/CAP 25MG
50002494	CHLOROTRIANISENE TAB/CAP 72MG
50004804	CONJUGATED ESTROGENS TABLET 0.3MG
50004812	CONJUGATED ESTROGENS TABLET 0.625MG
50008763	CONJUGATED ESTROGENS TABLET 0.9MG
50004820	CONJUGATED ESTROGENS TABLET 1.25MG
50004839	CONJUGATED ESTROGENS TABLET 2.5MG
50002097	DIETHYLSTILBESTROL TABLET EC 1.0MG
50002119	DIETHYLSTILBESTROL TABLET EC 5.0MG
50002089	DIETHYLSTILBESTROL TABLET 1.0MG
50002100	DIETHYLSTILBESTROL TABLET 5.0MG
00870755	ESTRACE TABLET 1.0MG
00870756	ESTRACE TABLET 2.0MG
50003413	ESTRADIOL AQUEOUS 0.22MG/1ML 10ML VIAL
50003414	ESTRADIOL AQUEOUS 0.44MG/1ML 10ML VIAL
50003415	ESTRADIOL AQUEOUS 1.0 MG/1ML 10ML VIAL
50003416	ESTRADIOL AQUEOUS 1.1MG/1ML 10ML VIAL
50003418	ESTRADIOL CYPIONATE INJ 1MG/ML 10ML VIAL
50003420	ESTRADIOL CYPIONATE INJ 5MG/ML 5ML VIAL
50001286	ESTRADIOL TRANSDERMAL PATCH 0.05MG 10CM2
50001288	ESTRADIOL TRANSDERMAL PATCH 0.1MG 20CM2
50003421	ESTRADIOL VALERATE 10MG/ML 1ML VIAL
50003422	ESTRADIOL VALERATE 10MG/ML 5ML VIAL
50003423	ESTRADIOL VALERATE 20MG/ML 1ML SYRINGE
50003424	ESTRADIOL VALERATE 20MG/ML 5ML VIAL
50003425	ESTRADIOL VALERATE 40MG/ML 5ML VIAL
50003426	ESTROGENIC SUBSTANCE AQ INJ 2MG/ML 10ML
50003528	ESTROGENIC SUBSTANCE AQ INJ 5MG/ML 10ML
50003082	HYDROXYPROGESTERONE CAPROATE 125MG/ML 2ML VIAL
50003084	HYDROXYPROGESTERONE CAPROATE 125MG/ML 10ML VIAL
50003086	HYDROXYPROGESTERONE CAPROATE 250MG/ML 1ML SYRINGE
50003088	HYDROXYPROGESTERONE CAPROATE 250MG/ML 5ML VIAL
50003888	MEDROXYPROGESTERONE ACETATE 2.5MG TA/CA
50003890	MEDROXYPROGESTERONE ACETATE 10MG TAB/CAP
00743943	OGEN TABLET 0.625MG
00743946	OGEN TABLET 1.25MG
00743951	OGEN TABLET 2.5MG
00743958	OGEN TABLET 5MG

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SECTION 141.2920 HORMONES/AGENTS AFFECTING MECHANISMS:
ESTROGENS/PROGESTINS (Cont'd.)

00460552	PREMARIN INJECTION 25MG W DILUENT
50004925	PROGESTERONE INJECT IN OIL 25MG/ML 10ML
50004926	PROGESTERONE INJECT IN OIL 50MG/ML 5ML
50004927	PROGESTERONE INJECT IN OIL 50MG/ML 10ML
** 50000641	RITODRINE HCL INJECTION 10MG/ML 5ML AMP
** 50000643	RITODRINE HCL INJECTION 15MG/ML 10ML SYRINGE
** 50000645	RITODRINE HCL TABLET 10MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.2960 HORMONES/AGENTS AFFECTING MECHANISMS:
CONTRACEPTIVES

Item Number	Drug Name and Strength
** 00332110	BREVICON 21-DAY
** 04298711	BREVICON 21-DAY - REFILL
** 00330110	BREVICON 28-DAY
** 04298712	BREVICON 28-DAY - REFILL
** 00140151	DENULEN 1/35-21
** 00141115	DENULEN 1/35-21 - REFILL
** 00140161	DENULEN 1/35-28
** 00141161	DENULEN 1/35-28 - REFILL
** 00140071	DENULEN-21
** 00140171	DENULEN-21 - REFILL
** 00141071	DENULEN-28
** 00141171	DENULEN-28 - REFILL
** 00250051	ENOVID TABLET 5MG
** 00140051	ENOVID TABLET 5MG - CALENDAR PACK
** 00250101	ENOVID TABLET 10MG
** 00251131	ENOVID-E-21 TABLET 2.5MG
** 00140131	ENOVID-E-21 TABLET 2.5MG - REFILL
** 05364057	GENORA TABLET 0.5/35-21
** 05364157	GENORA TABLET 0.5/35-28
** 05364055	GENORA TABLET 1/35-21
** 05364155	GENORA TABLET 1/35-28
** 05364056	GENORA TABLET 1/50-21
** 05364156	GENORA TABLET 1/50-28
** 04190410	LEVLEN TABLETS 21'S
** 04190411	LEVLEN TABLETS 28'S
** 00080078	LO/OVRAL TABLET-21
** 00081078	LO/OVRAL TABLET-21 - 3 PACK
** 00082514	LO/OVRAL TABLET-28

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SECTION 141.2960

HORMONES/AGENTS AFFECTING MECHANISMS: ORAL
CONTRACEPTIVES (Cont'd.)

Item Number	Drug Name and Strength
** 00710913	LOESTRIN FE 1.0/20
** 07100913	LOESTRIN FE 1.0/20 - REFILL
** 00710917	LOESTRIN FE 1.5/30
** 07100917	LOESTRIN FE 1.5/30 - REFILL
** 00710915	LOESTRIN 21 1.0/20
** 07100915	LOESTRIN 21 1.0/20 - REFILL
** 00710916	LOESTRIN 21 1.5/30
** 07100916	LOESTRIN 21 1.5/30 - REFILL
** 00621410	MICRONOR TABLET 0.35MG
** 00621710	MODICON-21 TABLET
** 00621714	MODICON-28 TABLET
** 04543521	N.E. TABLET 1/35-21
** 04543521	N.E. TABLET 1/35-28
** 00470929	NELOVA TABLET 0.5/35-21
** 00470926	NELOVA TABLET 0.5/35-28
** 00470930	NELOVA TABLET 1/35-21
** 00470927	NELOVA TABLET 1/35-28
** 00470941	NELOVA TABLET 10/11-21
** 00470944	NELOVA TABLET 10/11-28
** 00332107	NOR-QD TABLET
** 00080075	NORDETTE-21 TABLET
** 00082533	NORDETTE-28 TABLET
** 00140221	NORETHIN TABLET 1/35E-21
** 00140231	NORETHIN TABLET 1/35E-28
** 00140431	NORETHIN TABLET 1/50M-21
** 00140441	NORETHIN TABLET 1/50M-28
** 00330111	NORINYL TABLET 1 PLUS 35-21 DAY
** 04298727	NORINYL TABLET 1 PLUS 35-21 DAY - REFILL
** 00331111	NORINYL TABLET 1 PLUS 35-28 DAY
** 04298728	NORINYL TABLET 1 PLUS 35-28 DAY - REFILL
** 00332101	NORINYL TABLET 1 PLUS 50-21 DAY
** 04298725	NORINYL TABLET 1 PLUS 50-21 DAY - REFILL
** 00333101	NORINYL TABLET 1 PLUS 50-28 DAY
** 04298726	NORINYL TABLET 1 PLUS 50-28 DAY - REFILL
** 00332102	NORINYL TABLET 1 PLUS 80-21 DAY
** 04298723	NORINYL TABLET 1 PLUS 80-21 DAY - REFILL
** 00333102	NORINYL TABLET 1 PLUS 80-28 DAY
** 04298724	NORINYL TABLET 1 PLUS 80-28 DAY - REFILL
** 00332103	NORINYL TABLET 2MG
** 04298720	NORINYL TABLET 2MG - REFILL
** 07100905	NORLESTRIN FE 1/50
** 07100905	NORLESTRIN FE 1/50 - REFILL
** 00710907	NORLESTRIN FE 2.5/50

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SECTION 141.2960

HORMONES/AGENTS AFFECTING MECHANISMS: ORAL
CONTRACEPTIVES (Cont'd.)

Item Number	Drug Name and Strength
** 07100907	NORLESTRIN FE 2.5/50 - REFILL
** 07100904	NORLESTRIN 21 1/50
** 07100904	NORLESTRIN 21 1/50 - REFILL
** 07100901	NORLESTRIN 21 2.5/50
** 07100901	NORLESTRIN 21 2.5/50 - REFILL
** 00710903	NORLESTRIN 28 1/50
** 07100903	NORLESTRIN 28 1/50 - REFILL
** 60009903	ORAL CONTRACEPTIVES - PRODUCTS NOT OTHERWISE LISTED - LIST NAME AND MFG
** 00621350	ORTHO-NOVUM 2MG TAB
** 00621760	ORTHO-NOVUM 1/35 TAB 21'S
** 00622760	ORTHO-NOVUM 1/35 TAB 21'S - REFILL
** 00621761	ORTHO-NOVUM 1/35 TAB 28'S
** 00622761	ORTHO-NOVUM 1/35 TAB 28'S - REFILL
** 00621331	ORTHO-NOVUM 1/50 TAB 21'S
** 00621332	ORTHO-NOVUM 1/50 TAB 28'S
** 00621390	ORTHO-NOVUM 1/80 TAB 21'S
** 00621391	ORTHO-NOVUM 1/80 TAB 28'S
** 01071770	ORTHO-NOVUM 10/11 TAB 21'S
** 00621770	ORTHO-NOVUM 10/11 TAB 21'S - REFILL
** 01071771	ORTHO-NOVUM 10/11 TAB 28'S
** 00621771	ORTHO-NOVUM 10/11 TAB 28'S - REFILL
** 00621370	ORTHO-NOVUM 10MG TAB
** 01071780	ORTHO-NOVUM 7/7/7 21'S
** 00621780	ORTHO-NOVUM 7/7/7 21'S - REFILL
** 01071781	ORTHO-NOVUM 7/7/7 28'S
** 00621781	ORTHO-NOVUM 7/7/7 28'S - REFILL
** 00870583	OVCON-35 TABLET (21)
** 00870578	OVCON-35 TABLET (28)
** 00870584	OVCON-50 TABLET (21)
** 00870579	OVCON-50 TABLET (28)
** 00080056	OVRAL TABLET 21'S
** 00081056	OVRAL TABLET 21'S - 3 PACK
** 00825111	OVRETTE TABLET 28'S
** 00080062	OVULEN-21 TABLET
** 00141401	OVULEN-21 TABLET - REFILL
** 00143401	OVULEN-28 TABLET
** 00142401	OVULEN-28 TABLET - REFILL
** 00140421	TRI-LEVLEN TABLETS 21'S
** 04190430	TRI-LEVLEN TABLETS 28'S
** 04190431	TRI-NORINYL TABLETS 21'S
** 00333201	TRI-NORINYL TABLETS 21'S - REFILL
** 04298719	TRI-NORINYL TABLETS 21'S - REFILL

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SECTION 141.2960 HORMONES/AGENTS AFFECTING MECHANISMS: ORAL CONTRACEPTIVES (Cont'd.)

Item Number Drug Name and Strength

00333211 TRI-NORINYL TABLETS 28'S
04298718 TRI-NORINYL TABLETS 28'S - REFILL
00082535 TRI-PHASIL TABLETS 21'S
00083535 TRI-PHASIL TABLETS 21'S - REFILL
00082536 TRI-PHASIL TABLETS 28'S
00083536 TRI-PHASIL TABLETS 28'S - REFILL

(Source: Amended at 13 Ill. Reg. 3850, effective March, 17, 1989)

SECTION 141.3280 MEDICAL SUPPLIES

Item Number Drug Name and Strength

60009931 HYPODERMIC NEEDLE-DISPOSABLE--LIST MFG, SIZE AND PRODUCT LIST NUMBER
60009930 HYPODERMIC NEEDLE-REUSEABLE--LIST MFG, SIZE AND PRODUCT LIST NUMBER
60009928 HYPODERMIC SYRINGE-GLASS--LIST MFG, SIZE AND PRODUCT LIST NUMBER
60009929 HYPODERMIC SYRINGE-PLASTIC DISP--LIST MFG, SIZE AND PRODUCT LIST NUMBER
00031852 INSULIN PENNEEDLE FOR USE WITH NOVOPEN
50008681 INSULIN SYRINGE & NEEDLE DISPOSABLE
60009932 INSULIN SYRINGE-GLASS REUSEABLE
60009935 NEBULIZER (ASTHMATICS ONLY) EMPTY

(Source: Amended at 13 Ill. Reg. 3850, effective March, 17, 1989)

SECTION 141.3600 OSTOMY SUPPLIES

Item Number Drug Name and Strength

60009922 OS OSTOMY SUPPLIES - NOT OTHERWISE LISTED - SPECIFY MFG AND LIST NUMBER
50008470 OS BARD 140X DISPOSABLE IRRIGATION SET
50008471 OS BARD 144X DISPOSABLE DRAIN SLEEVES
50008505 OS BARD 2252 STOMAPLAST PLUS POUCH
50008506 OS BARD 2253 STOMAPLAST PLUS POUCH

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number Drug Name and Strength

50008476 OS BARD 260X SAF-T-POUCH SET
50008477 OS BARD 264X SAF-T-POUCH REFILLS
50008480 OS BARD 274X SAF-T-POUCH REFILLS
50008481 OS BARD 4221 STOMAPLAST PLUS POUCH
50008507 OS BARD 4222 STOMAPLAST PLUS POUCH
50008509 OS BARD 4223 STOMAPLAST PLUS POUCH
50008486 OS BARD 613X KARAYA WASHER
50008485 OS BARD 614X KARAYA WASHER 3 3/4 OD
50008489 OS BARD 6540 ADH SQ W/CRIXILINE 4X4
50008490 OS BARD 6580 ADH SQ W/CRIXILINE 8X8
50008491 OS BARD 6590 ADHESIVE STRIPS 6X7/8
50008492 OS BARD 672X SAF-T-POUCH ADHES GASKETS
50008493 OS BARD 8110 SAF-T-BELT
50008494 OS BARD 8120 SNAP-TITE BELT
50008495 OS BARD 8230 KARAYA POWDER 3.5OZ
50008496 OS BARD 8240 KARAYA POWDER 14OZ
50008498 OS BARD 8520 ADHESIVE SOLVENT 8OZ CAN
50008499 OS BARD 8530 ADHESIVE SOLVENT 32OZ CAN
50008500 OS BARD 8540 DEODORANT 2OZ BOTTLE
50008501 OS BARD 8550 DEODORANT 8OZ BOTTLE
50008502 OS BARD 871X GASKET PLASTIC REINFORCE
50008503 OS BARD 8720 FACE PLATE SOFT
50008504 OS BARD 8730 FACE PLATE HARD
50007742 OS BARD 960001 REG COLOSTOMY POUCH NO. 1
50007741 OS BARD 960002 REG COLOSTOMY POUCH NO. 2
50007740 OS BARD 960003 REG COLOSTOMY POUCH NO. 3
50007739 OS BARD 960004 REG COLOSTOMY POUCH NO. 4
50007747 OS BARD 960101 EXTRA COLOSTOMY POUCH NO. 1
50007746 OS BARD 960102 EXTRA COLOSTOMY POUCH NO. 2
50007745 OS BARD 960103 EXTRA COLOSTOMY POUCH NO. 3
50007722 OS BARD 960201 REG ILEOSTOMY POUCH NO. 20
50007730 OS BARD 960202 EXTRA ILEOSTOMY POUCH 20
50007721 OS BARD 960301 REG ILEOSTOMY POUCH NO. 30
50007729 OS BARD 960302 EXTRA ILEOSTOMY POUCH 30
50007727 OS BARD 960401 EXTRA ILEO B POUCH
50007723 OS BARD 960402 BELT-ADJUST SUPPORT PLATE
50007725 OS BARD 960403 EXTRA ILEO B MINI POUCH
50007726 OS BARD 960405 EXTRA ILEO B POUCH
50007724 OS BARD 960406 EXTRA ILEO B POUCH 60MM
50007714 OS BARD 960420 ADJUSTABLE BELT
50007738 OS BARD 961001 DELUXE IRRIGATION SET
50007734 OS BARD 961002 EXTRA SECURITY POUCH
50007731 OS BARD 961003 IRRIGATION SLEEVES
50007720 OS BARD 961004 KARAYA RINGS

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007733	OS BARD 961008 EXTRA SECURITY POUCH
** 50007737	OS BARD 961010 COLO-TIP FOR IRRIG SET
** 50007736	OS BARD 961011 IRRIGATOR BAG-VALVE/TUBE
** 50007735	OS BARD 961012 FACE PLATE FOR IRRIG SET
** 50007719	OS BARD 961015 STOMA URINE BAG ADULT
** 50007718	OS BARD 961016 STOMA URINE BAG MEDIUM
** 50007717	OS BARD 961017 STOMA URINE BAG PEDIATRIC
** 50007732	OS BARD 961020 EXTRA SECURITY POUCH 60MM
** 50007716	OS BARD 962901 RETAIL APPLIANCE KIT 10MM
** 50007715	OS BARD 962905 RETAIL APPLIANCE KIT 40MM
** 50007744	OS BARD 963002 CERTAIN STANDARD POUCH
** 50007743	OS BARD 963003 CERTAIN LARGE POUCH
** 50007712	OS CONVA 021712 STOMAHESIVE COVERING 4X4
** 50007711	OS CONVA 021715 STOMAHESIVE COVERING 8X8
** 50007846	OS CONVA 021915 ACCUSEAL ADAPTER
** 50007851	OS CONVA 02192X SUR-FIT UROSTOMY POUCH W/ACCUSEAL TAP TRANSPARENT STANDARD
** 50007848	OS CONVA 02193X SUR-FIT UROSTOMY POUCH WITH ACCUSEAL TAP OPAQUE STANDARD
** 50007850	OS CONVA 021930 SUR-FIT UROSTOMY POUCH 100MM (4") FLANGE W/ACCUSEAL TAP
** 50007847	OS CONVA 021940 SUR-FIT UROSTOMY POUCH 100MM (4") FLANGE W/ACCUSEAL TAP
** 50007849	OS CONVA 02195X SUR-FIT UROSTOMY POUCH WITH ACCUSEAL TAP OPAQUE SMALL
** 50007873	OS CONVA 022340 STOMAHESIVE WAFER SURFIT 5"x5" WAFER W/2-3/4" SUR-FIT FLANGE
** 50007872	OS CONVA 022341 STOMAHESIVE WAFER SURFIT 6"x6" WAFER W/4" SUR-FIT FLANGE
** 50007864	OS CONVA 022353 SUR-FIT DRAINABLE POUCH 14" TRANSPARENT WITH 4" FLANGE
** 50007867	OS CONVA 022370 STOMAHESIVE WAFER 4"x4" WITH 2-3/4" SUR-FIT ACCORDIAN FLANGE
** 50007866	OS CONVA 022380 STOMAHESIVE WAFER 5"x5" WITH 4" SUR-FIT ACCORDIAN FLANGE
** 50007868	OS CONVA 02252X SUR-FIT FLEXIBLE FLANGE
** 50007871	OS CONVA 02256X DURAHESIVE WAFER 4"x4" WITH LOW PROFILE FLANGE
** 50007870	OS CONVA 022569 DURAHESIVE WAFER 5"x5" WITH 2-3/4" SUR-FIT FLANGE
** 50007869	OS CONVA 022570 DURAHESIVE WAFER 6"x6" WITH 4" SUR-FIT FLANGE
** 50007834	OS CONVA 0227XX ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 12" OPAQUE

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007833	OS CONVA 0227XX ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 12" TRANSPARENT
** 50007831	OS CONVA 022703 ACTIVE LIFE ONE-PIECE CLOSED-END POUCH OPAQUE
** 50007830	OS CONVA 022706 ACTIVE LIFE ONE-PIECE CLOSED-END POUCH TRANSPARENT
** 50007858	OS CONVA 02271X VISI-FLOW IRRIGATION STARTER SET
** 50007829	OS CONVA 022710 ACTIVE LIFE ONE-PIECE STOMA CAP
** 50007857	OS CONVA 022735 VISI-FLOW IRRIGATOR WITH STOMA CONE
** 50007856	OS CONVA 022736 VISI-FLOW STOMA CONE
** 50007854	OS CONVA 02274X SUR-FIT IRRIGATION ADAPTER FACEPLATE
** 50007841	OS CONVA 02275X ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 10" OPAQUE
** 50007832	OS CONVA 022771 ACTIVE LIFE ONE-PIECE DRAINABLE CUSTOM POUCH 12" TRANSPARENT
** 50007852	OS CONVA 02423X SUR-FIT UROSTOMY POUCH TRANSPARENT SMALL
** 50007853	OS CONVA 02423X SUR-FIT UROSTOMY POUCH TRANSPARENT STANDARD
** 50007860	OS CONVA 02425X SUR-FIT IRRIGATION SLEEVE
** 50007859	OS CONVA 02426X SUR-FIT FLANGE CAP
** 50007862	OS CONVA 02547X SUR-FIT DRAINABLE POUCH 10" OPAQUE WITHOUT FABRIC PANEL
** 50007863	OS CONVA 02547X SUR-FIT DRAINABLE POUCH 12" OPAQUE WITHOUT FABRIC PANEL
** 50007876	OS CONVA 025510 STOMAHESIVE POWDER 30GM
** 50007826	OS CONVA 0256XX STOMAHESIVE SUR-FIT 4X4
** 50007827	OS CONVA 02562X SUR-FIT CLOSED POUCH OPQ
** 50007825	OS CONVA 02563X SUR-FIT DRAIN PCH 12" TR
** 50007823	OS CONVA 02564X SUR-FIT DRAIN PCH 12" OP
** 50007824	OS CONVA 02569X SUR-FIT DRAIN PCH 10" OP
** 50007865	OS CONVA 02569X SUR-FIT DRAINABLE POUCH 10" OPAQUE
** 50007861	OS CONVA 02577X SUR-FIT MINI-POUCH
** 50007845	OS CONVA 027060 SUR-FIT NIGHT DRAINAGE CONTAINER SET
** 50007844	OS CONVA 027061 SUR-FIT NIGHT DRAINAGE CONTAINER COVER
** 50007828	OS CONVA 175510 APPLIANCE BELT ADJUST

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007874	OS CONVA 175600 SUR-FIT TAIL CLOSURES
** 50007875	FOR USE WITH 025470 THRU 025479 ONLY
** 50007855	OS CONVA 175635 SUR-FIT/ACTIVE LIFE
** 50007842	TAIL CLOSURES
** 50007877	OS CONVA 175650 SUR-FIT IRRIGATION
** 50007843	SLEEVE TAIL CLOSURE
** 50008478	OS CONVA 1801XX SUR-FIT POUCH COVERS
** 50008479	OS CONVA 183910 STOMAHESIVE PASTE 60GM
** 50008482	OS CONVA 1850XX SUR-FIT DISPOSABLE
** 50008488	CONVEX INSERTS
** 50008472	OS DIAM SHAM SAF-T-POUCH SET C O B F 270
** 50008473	OS DIAM SHAM SAF-T-POUCH SET C 4 SBS 271
** 50008474	OS DIAM SHAM SKIN BARRIER SEAL 628
** 50008475	OS DIAM SHAM SKIN BARRIER SEAL 629
** 50008476	OS DIAM SHAM STOMAPLAST PLUS CR BAG 226
** 50008477	OS DIAM SHAM STOMAPLAST PLUS CR BAG 227
** 50008478	OS DIAM SHAM STOMAPLAST PLUS CR BAG 228
** 50008479	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 426
** 50007758	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 427
** 50007759	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 428
** 50007780	OS DIAM SHAM SUPER BOND CEMENT 4OZ 8510
** 50007781	OS HOLL ADJUSTABLE OSTOMY BELT
** 50007782	OS HOLL ADH DRAINABLE OPAQUE SERIES 749
** 50007783	OS HOLL ADHESIVE SECURITY POUCH 714
** 50007784	OS HOLL ADHESIVE STOMA BAG 717
** 50007785	OS HOLL DILATOR GLOVE 7741
** 50007786	OS HOLL IRRIGATOR SET 733
** 50007787	OS HOLL IRRIGATOR 7201
** 50007788	OS HOLL KARAYA SEAL DRAINABLE STOM BG725
** 50007789	OS HOLL KARAYA SEAL DRAINABLE STOM BG726
** 50007790	OS HOLL KARAYA SEAL DRN STOM BG C ADH723
** 50007791	OS HOLL KARAYA SEAL DRN STOM BG C ADH724
** 50007792	OS HOLL REGULAR STOMA BAG 710
** 50007793	OS HOLL UROSTOMY BAG C ADHESIVE ONLY 744
** 50007794	OS HOLL UROSTOMY BAG C KARAYA SEAL 741
** 50007795	OS HOLL 141X LO-PROFILE UROSTOMY POUCH
** 50007796	W/MICROPOROUS II ADHESIVE AND GASKET
** 50007797	OS HOLL 142X LO-PROFILE UROSTOMY POUCH
** 50007798	W/MICROPOROUS II ADHESIVE
** 50007799	OS HOLL 143X LO-PROFILE UROSTOMY POUCH
** 50007800	W/MICROPOROUS II KARAYA 5 SEAL/GASKET
** 50008270	OS HOLL 227X FILTER STOMA POUCH WITH
** 50008271	STANDARD ADHESIVE

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007836	OS HOLL 300X SECURE ADHESIVE OSTOMY SYSTEM
** 50007837	POUCH CLEAR
** 50007838	OS HOLL 304X SECURE ADHESIVE OSTOMY SYSTEM
** 50007839	POUCH OPAQUE
** 50008271	OS HOLL 311X KARAYA SEAL DRAINABLE STOMA
** 50008272	POUCH SHORT 12" OPAQUE
** 50008273	OS HOLL 313X KARAYA SEAL DRAINABLE STOMA
** 50008274	POUCH BRIEF 9" OPAQUE
** 50008275	OS HOLL 314X FILTER SECURITY POUCH WITH
** 50008276	MICROPOROUS ADHESIVE
** 50008277	OS HOLL 318X STOMA CAP W/MICROPOROUS
** 50008278	ADHESIVE 2" or 3"
** 50008279	OS HOLL 322X KARAYA SEAL DRAINABLE STOMA
** 50008280	POUCH SHORT 12" REGULAR
** 50008281	OS HOLL 323X KARAYA SEAL DRAINABLE STOMA
** 50008282	POUCH BRIEF 9" REGULAR
** 50008283	OS HOLL 327X KARAYA SEAL DRAINABLE STOMA
** 50008284	POUCH MEDIUM 16" REGULAR
** 50008285	OS HOLL 332X KARAYA SEAL STOMA POUCH
** 50008286	W/KARAYA 5 RING MICROPOROUS ADH FLTR
** 50008287	OS HOLL 350X PREMIUM CLOSED POUCH WITH
** 50008288	MICROPOROUS II ADH DEOD FLTR QUFILM
** 50008289	OS HOLL 353X PREMIUM CLOSED POUCH WITH
** 50008290	KARAYA 5 MICROPOROUS II FLTR FILM OP
** 50008291	OS HOLL 354X PREMIUM CLOSED POUCH WITH SYN
** 50008292	RING MICROPOROUS II FLTR OPQFILM
** 50008293	OS HOLL 355X PREMIUM CLOSED POUCH WITH
** 50008294	KARAYA 5 MICROPOROUS II FILTER FILM
** 50008295	OS HOLL 360X PREMIUM DRAINABLE POUCH WITH
** 50008296	KARAYA 5 SEAL, MICROPOROUS II
** 50008297	OS HOLL 363X FIRSTCHOICE DRAINABLE POUCH
** 50008298	SYNTHETIC BARRIER CUSHION FIT
** 50008299	OS HOLL 364X PREMIUM DRAINABLE POUCH WITH
** 50008300	SYNTHETIC SEAL RING MICROPOROUS
** 50008301	OS HOLL 366X PREMIUM DRAINABLE POUCH WITH
** 50008302	REPLACEMENT FILTER
** 50008303	OS HOLL 370X TWO-PIECE OSTOMY SYSTEM SKIN
** 50008304	BARRIER W/FLANGE 1 1/2" -- 2 3/4"
** 50008305	OS HOLL 3706 TWO-PIECE OSTOMY SYSTEM SKIN
** 50008306	BARRIER W/FLANGE 4" FLANGE
** 50008307	OS HOLL 380X TWO-PIECE OSTOMY SYSTEM REG DRN
** 50008308	POUCH W/FLANGE 1 1/2" -- 2 3/4"
** 50008309	OS HOLL 3806 TWO-PIECE OSTOMY SYSTEM REG
** 50008310	DRAINABLE POUCH W/FLANGE 4" FLANGE

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OSTOMY SUPPLIES (Cont'd)

SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50002735	OS HOLL 381X TWO-PIECE OSTOMY SYSTEM OPQ DRN POUCH W/FLANGE 1 1/2" -- 2 3/4"
** 50002532	OS HOLL 3816 TWO-PIECE OSTOMY SYSTEM OPQ DRAINABLE POUCH W/FLANGE 4" FLANGE
** 50002529	OS HOLL 382X TWO-PIECE OSTOMY SYSTEM IRRIGATOR DRAIN
** 50002531	OS HOLL 390X TWO-PIECE OSTOMY SYSTEM PREMIUM UROSTOMY POUCH W/FLANGE
** 50008273	OS HOLL 412X HOLLIGARD SEAL STOMA POUCH WITH MICROPOROUS ADHESIVE AND FILTER
** 50007757	OS HOLL 7035 APPLIANCE COVER CLOSED BAGS
** 50007756	OS HOLL 7037 APPLIANCE COVER DRAIN BAG
** 50007790	OS HOLL 713X MINI POUCH
** 50007792	OS HOLL 716X KARAYA SEAL STOMA POUCH WITH KARAYA 5 SEAL RING
** 50007787	OS HOLL 718X REGULAR STOMA CAP
** 50007786	OS HOLL 719X STOMA IRRIGATOR DRAIN
** 50007779	OS HOLL 721X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 RING SHORT 12"
** 50007775	OS HOLL 722X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 SHORT 12"
** 50007774	OS HOLL 727X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 MEDIUM 16"
** 50007778	OS HOLL 728X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 RING MEDIUM 16"
** 50002584	OS HOLL 7328 STANDARD UROSTOMY DRAIN TUB
** 50007760	OS HOLL 7328 UROSTOMY DRAIN TUBE STANDRD
** 50002583	OS HOLL 7330 LO-PROFILE DRAIN TUBE
** 50002582	OS HOLL 7331 UROSTOMY DRAIN TUBE ADAPTER
** 50007769	OS HOLL 734X LOOP OSTOMY DRAINABLE POUCH
** 50007770	OS HOLL 734X LOOP OSTOMY GASKET ASSEMBLY
** 50007768	OS HOLL 734X LOOP OSTOMY STARTER SET
** 50007759	OS HOLL 739X KARAYA SEAL RING
** 50007767	OS HOLL 740X UROSTOMY POUCH BRIEF 9"
** 50007771	OS HOLL 742X ADHESIVE DRAINABLE STOMA POUCH MEDIUM 16"
** 50007772	OS HOLL 743X ADHESIVE DRAINABLE STOMA POUCH SHORT 12"
** 50007765	OS HOLL 745X UROSTOMY POUCH MEDIUM 12"
** 50007762	OS HOLL 746X UROSTOMY POUCH WITH KARAYA 5 SEAL RING MEDIUM 16"
** 50007766	OS HOLL 747X UROSTOMY POUCH SHORT 12"
** 50007763	OS HOLL 748X UROSTOMY POUCH WITH KARAYA 5 SEAL RING SHORT 12"

Item Number	Drug Name and Strength
** 50007835	OS HOLL 7700 HOLLHESIVE SKIN BARRI 4X4
** 50002599	OS HOLL 7701 HOLLHESIVE SKIN BARRIER 8" X 8" NON-STERILE
** 50002600	OS HOLL 7708 HOLLSEAL SKIN BARRIER 4" X 4"
** 50007781	OS HOLL 772X COMBINATION CONE/TUBE IRRIGATION STARTER SET 2" OR 3"
** 50007783	OS HOLL 772X COMBINATION CONE/TUBE STOMA IRRIGATOR DRAIN 2" OR 3"
** 50007782	OS HOLL 7721 COMBINATION CONE/TUBE IRRIGATION KIT
** 50002592	OS HOLL 7723 STOMA CONE REPLACEMENT UNIT W/CONNECTOR AND INSTRUCTIONS
** 50007755	OS HOLL 7730 MEDICAL ADHESIVE 60Z CAN
** 50007754	OS HOLL 7731 MEDICAL ADHESIVE REMOVER 60Z SPRAY CAN
** 50007753	OS HOLL 7740 STOMA LUBRICANT 40Z BOTTLE
** 50002605	OS HOLL 7755 UNIVERSAL REMOVER FOR ADHESIVES AND BARRIERS 60Z BOTTLE
** 50002606	OS HOLL 7760 UNIVERSAL REMOVER WIPES FOR ADHESIVES AND BARRIERS-CARTON OF 50
** 50007751	OS HOLL 7765 DRAINABLE POUCH CLAMP
** 50002549	OS HOLL 7766 REPLACEMENT FILTERS FOR PREMIUM DRAINABLE POUCH
** 50002622	OS HOLL 7770 PREMIUM DRAINABLE POUCH CLAMP FOR PREMIUM AND QUIET FILM
** 50002593	OS HOLL 7800 PREMIUM SKIN BARRIER 4" X 4" NON-STERILE
** 50002598	OS HOLL 7801 PREMIUM SKIN BARRIER 8" X 8" NON-STERILE
** 50008266	OS HOLL 7905 KARAYA POWDER 2.5 OZ BOTTLE
** 50007749	OS HOLL 7910 KARAYA PASTE 4.5 OZ TUBE
** 50007750	OS HOLL 7916 SKIN GEL 1 OZ TUBE
** 50002619	OS HOLL 7917 SKIN GEL PROTECTIVE DRESSING WIPES-CARTON OF 50
** 50002604	OS HOLL 7918 SKIN GEL SPRAY 40Z BOTTLE
** 50007748	OS HOLL 7919 KARAYA PASTE 2 OZ TUBE
** 50002602	OS HOLL 7920 HOLLHESIVE PASTE 4.5OZ
** 50002601	OS HOLL 7930 PREMIUM PASTE 2OZ TUBE
** 50002603	OS HOLL 9760 POST-OP POUCH W/MICROPOROUS II ADHESIVE AND ATTACHED CLOSURE
** 50002539	OS HOLL 9765 PEDIATRIC POUCH
** 50007501	OS NUHOPE 2101 REUSABLE URINARY POUCH STYLE A
** 50007502	OS NUHOPE 2102 REUSABLE URINARY POUCH STYLE A W/VALVE

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007503	OS NUHOPE 2111 REUSABLE URINARY POUCH STYLE B
** 50007504	OS NUHOPE 2115 REUSABLE URINARY POUCH STYLE C
** 50007505	OS NUHOPE 2118 REUSABLE URINARY POUCH STYLE D
** 50007506	OS NUHOPE 2125 REUSABLE URINARY POUCH STYLE H
** 50007507	OS NUHOPE 2126 REUSABLE URINARY POUCH STYLE H W/VALVE
** 50007508	22XX BASE PLATE AND RING SET
** 50007509	OS NUHOPE 23XX ADHERING TAPE DISC
** 50007510	OS NUHOPE 2313 ADHERING TAPE DISC 1-5/8"
** 50007511	OS NUHOPE 2330 REGULAR ADHERING TAPE STRIPS
** 50007512	OS NUHOPE 2332 EXTRA WIDE ADHERING TAPE STRIPS
** 50007513	OS NUHOPE 2334 EXTRA LONG ADHERING TAPE STRIPS
** 50007514	OS NUHOPE 2400 ADHESIVE 3OZ BOTTLE W/APPLICATOR
** 50007515	OS NUHOPE 2401 ADHESIVE 1OZ BOTTLE W/APPLICATOR
** 50007516	OS NUHOPE 2408 CLEANING SOLVENT 4OZ
** 50007517	OS NUHOPE 2410 CLEANING SOLVENT 16OZ
** 50007518	OS NUHOPE 2427 THINNING SOLVENT 2OZ
** 50007519	OS NUHOPE 2500 THIN RUBBER STOMA SEALS
** 50007520	OS NUHOPE 251X CLOTH COVER FOR 12OZ or 20OZ
** 50007521	OS NUHOPE 2513 CLOTH COVER FOR 30OZ
** 50007522	OS NUHOPE 252X HOLE CUTTER TOOL 1/2" THRU 1-1/8"
** 50007523	OS NUHOPE 253X HOLE CUTTER TOOL 1-1/4" THRU 1-1/2"
** 50007524	OS NUHOPE 253X HOLE CUTTER TOOL 1-3/4" THRU 2"
** 50007525	OS NUHOPE 2540 REGULAR VALVE SET
** 50007526	OS NUHOPE 2543 EXTRA WIDE VALVE SET
** 50007527	OS NUHOPE 2546 LONG CURVED VALVE SET
** 50007528	OS NUHOPE 2550 DRYING HANGER
** 50007529	OS NUHOPE 2555 STANDARD SHORT SHIELD
** 50007530	OS NUHOPE 2556 EXTRA LARGE SUPPORT SHIELD
** 50007531	OS NUHOPE 2600 1" ELASTIC BELT W/PLASTIC BUCKLES
** 50007532	OS NUHOPE 2605 1" ELASTIC BELT W/METAL BUCKLES
** 50007533	OS NUHOPE 2610 1-1/2" ELASTIC BELT W/PLASTIC BUCKLES
** 50007534	OS NUHOPE 2615 1-1/2" ELASTIC BELT W/METAL BUCKLES

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007535	OS NUHOPE 2630 1" RUBBER BELT W/PLASTIC BUCKLES
** 50007536	OS NUHOPE 266X SUPPORT BELT 4"
** 50007538	OS NUHOPE 3101 REUSABLE DRAINABLE POUCH STYLE E
** 50007539	OS NUHOPE 3103 REUSABLE DRAINABLE POUCH STYLE F
** 50007540	OS NUHOPE 3142 CRYOVAC DISPOSABLE POUCH
** 50007541	OS NUHOPE 3200 KARAYA GUM POWDER 3.5OZ SQUEEZE BOTTLE
** 50007542	OS NUHOPE 3205 KARAYA GUM POWDER 1/2OZ SQUEEZE BOTTLE
** 50007543	OS NUHOPE 3208 KARAYA GUM POWDER 1LB BOTTLE
** 50007544	OS NUHOPE 3220 CARBO ZINC 6OZ JAR
** 50007545	OS NUHOPE 4003 PHARMASEAL DRAINAGE CONTAINER
** 50007546	OS NUHOPE 4008 NU-CREAM 2OZ JAR
** 50007547	OS NUHOPE 4010 NU-CREAM 1OZ TUBE
** 50007548	OS NUHOPE 4020 NU-GARD SKIN BARRIER WIPES
** 50007549	OS NUHOPE 50XX DUALSTICK ADHESIVE PAD
** 50007550	OS NUHOPE 62XX CONVEX INSERTS PACK OF 10
** 50007551	OS NUHOPE 65XX 3" SUPPORT BELT
** 50007553	OS NUHOPE 66XX 6" SUPPORT BELT
** 50007554	OS NUHOPE 66XX 9" SUPPORT BELT
** 50007555	OS NUHOPE 71XX ODORPROOF BRIEF POST OP DRAINABLE 12OZ POUCH
** 50007556	OS NUHOPE 71XX NU-FLEX DRAINABLE MINI POUCH 8OZ
** 50007557	OS NUHOPE 72XX ODORPROOF ADULT POST OP DRAINABLE 24OZ POUCH
** 50007558	OS NUHOPE 73XX ODORPROOF BRIEF NU-SELF (OPAQUE) 12OZ DRAINABLE POUCH
** 50007559	OS NUHOPE 74XX ODORPROOF ADULT NU-SELF (OPAQUE) 24OZ DRAINABLE POUCH
** 50007560	OS NUHOPE 77XX BRIEF NU-FLEX DRAIN POUCH 12OZ
** 50007561	OS NUHOPE 77XX-FV BRIEF NU-FLEX DRAIN POUCH POUCH WITH FLUTTER VALVE 12OZ
** 50007562	OS NUHOPE 7854 ADULT NU-FLEX DRAIN POUCH TAPE DISC
** 50007563	OS NUHOPE 7854-FV ADULT NU-FLEX DRAIN POUCH TAPE DISC WITH FLUTTER VALVE
** 50007564	OS NUHOPE 79XX ADULT NU-FLEX DRAIN POUCH 22OZ
** 50007565	OS NUHOPE 79XX-FV ADULT NU-FLEX DRAIN POUCH WITH FLUTTER VALVE 22OZ

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SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007566	OS NUHOPE 81XX BRIEF POST-OP DRAINABLE POUCH 12OZ
** 50007567	OS NUHOPE 8134 NU-FLEX MINI-POUCH 6OZ
** 50007568	OS NUHOPE 8134-FV NU-FLEX MINI-POUCH WITH FLUTTER VALVE 6OZ
** 50007569	OS NUHOPE 81XX BRIEF POST-OP URINARY POUCH 12OZ
** 50007570	OS NUHOPE 81XX-TS BRIEF POST-OP URINARY TRIM SHIELD POUCH 12OZ
** 50007571	OS NUHOPE 81XX-FV BRIEF POST-OP URINARY POUCH WITH FLUTTER VALVE 12OZ
** 50007572	OS NUHOPE 82XX ADULT POST-OP DRAINABLE POUCH 24OZ 1/2" THROUGH 2" OPENING
** 50007573	OS NUHOPE 82XX ADULT POST-OP DRAINABLE POUCH 24OZ 2-1/4" THROUGH 3" OPENING
** 50007574	OS NUHOPE 82XX ADULT POST-OP URINARY POUCH 24OZ 1/2" THROUGH 2" OPENING
** 50007575	OS NUHOPE 82XX ADULT POST-OP URINARY POUCH 24OZ 2-1/4" THROUGH 3" OPENING
** 50007576	OS NUHOPE 82XX-TS ADULT POST-OP URINARY TRIM SHIELD POUCH 24OZ
** 50007577	OS NUHOPE 82XX-FV ADULT POST-OP URINARY POUCH WITH FLUTTER VALVE 24OZ
** 50007578	OS NUHOPE 8316 DOUBLE BARRELL POST-OP DRAINABLE POUCH
** 50007579	OS NUHOPE 83XX DUALSTICK DRAIN 4" X 12"
** 50007580	OS NUHOPE 8395 DUALSTICK DRAIN 11" X 27"
** 50007581	OS NUHOPE 84XX ADULT HI-POCKETS DRAINABLE POUCH 24OZ
** 50007582	OS NUHOPE 84XX ADULT HI-POCKETS URINARY POUCH 24OZ
** 50007583	OS NUHOPE 84XX-FV ADULT HI-POCKETS URINARY POUCH WITH FLUTTER VALVE
** 50007584	OS NUHOPE 85XX BRIEF HI-POCKETS DRAINABLE POUCH 12OZ
** 50007585	OS NUHOPE 85XX BRIEF HI-POCKETS URINARY POUCH 12OZ
** 50007586	OS NUHOPE 86XX COLOSTOMY POUCH
** 50007587	OS NUHOPE 87XX ADULT NU-SELF DRAINABLE POUCH 24OZ
** 50007588	OS NUHOPE 88XX BRIEF NU-SELF DRAINABLE POUCH 12OZ
** 11700201	OS SWEEN 0201 SWEEN CREAM 57GM JAR/TUBE
** 11700216	OS SWEEN 0216 SWEEN CREAM 142GM JAR/TUBE

Item Number	Drug Name and Strength
** 11700925	OS SWEEN 0925 SWEEN PREP 59ML
** 11700926	OS SWEEN 0926 SWEEN PREP 118ML
** 11700931	OS SWEEN 0931 PURI-CLENS 59ML
** 11700971	OS SWEEN 0971 PURI-CLENS 118ML
** 11701001	OS SWEEN 1001 PERI-CARE OINTMENT 57GM JAR
** 11701002	OS SWEEN 1002 PERI-CARE OINTMENT 227GM JAR
** 11701005	OS SWEEN 1005 PERI-CARE OINTMENT 50GM TUBE
** 11701006	OS SWEEN 1006 PERI-CARE OINTMENT 142GM TUBE
** 11701021	OS SWEEN 1021 PERI-CARE OINTMENT 14GM TUBE
** 11701321	OS SWEEN 1321 MICRO-GUARD SKIN CREAM 57GM
** 11701332	OS SWEEN 1332 MICRO-GUARD SKIN CREAM 14GM
** 11701400	OS SWEEN 1400 PERI-WASH 237ML
** 11701410	OS SWEEN 1410 PERI-WASH 118ML
** 11701452	OS SWEEN 1452 PERI-WASH II 118ML
** 11701453	OS SWEEN 1453 PERI-WASH II 237ML
** 11701523	OS SWEEN 1523 O.A.D. OSTOMY APPLIANCE DEODORANT 37ML
** 11701525	OS SWEEN 1525 O.A.D. OSTOMY APPLIANCE DEODORANT 237ML
** 11701527	OS SWEEN 1527 O.A.D. OSTOMY APPLIANCE DEODORANT 118ML
** 11701571	OS SWEEN 1571 O.A.D. SWEEN-A-PEEL WAFER SKIN PROTECTANT 4" X 4" 5 WAFERS
** 11701579	OS SWEEN 1579 SWEEN-A-PEEL WAFER SKIN PROTECTANT 12" X 12" 1 WAFER
** 11701921	OS SWEEN 1921 KARAYA POWDER STERILIZED 85GM
** 11702041	OS SWEEN 2041 SWEEN PREP WIPES BOX OF 54
** 50008469	OS UNITED 1025 BONGORT SPECIAL PED DRAIN
** 50008468	OS UNITED 1044 MAX-E POUCH OPEN END HOR
** 50008467	OS UNITED 1075 BONGORT PF URIN DIVER PCH
** 50008466	OS UNITED 1076 BONGORT PF URIN DIVER PCH
** 50008465	OS UNITED 1085 SPEC ODOR-BARRIER DRAIN
** 50008464	OS UNITED 1802 COLOSET POUCH
** 50008463	OS UNITED 1805 COLOSET POUCH
** 50008462	OS UNITED 2453 HYPALON FACEPLACE CONVEX
** 50008461	OS UNITED 251X FEATHER-LITE VINYL POUCH
** 50008460	OS UNITED 256 FEATHER-LITE O-P ILEO PCH
** 50008459	OS UNITED 2564 FEATHER-LITE ODRPRF ILEO
** 50008458	OS UNITED 2687 UNIVERSAL ADH GASKETS 3X4
** 50008457	OS UNITED 3006 FEATHER-LITE URINE POUCH
** 50008456	OS UNITED 3120 BEAD-O-RING
** 50008455	OS UNITED 3135 HYPALON FACEPLACE CONVEX
** 50008454	OS UNITED 3206 FEATHER-LITE URINE POUCH
** 50008453	OS UNITED 3406 FEATHER-LITE URINE POUCH

**	50008452	OS UNITED 4000 SKIN-BOND CEMENT 4OZ
**	50008451	OS UNITED 4020 UNISOLVE ADH REMOVER 8 OZ
**	50008450	OS UNITED 4050 URI-KLEEN DEODOR DET 16 OZ
**	50008449	OS UNITED 4060 KARAYA GUM POWDER 2.5 OZ
**	50008448	OS UNITED 4120 BANISH LIQ DEODORANT 37ML
**	50008447	OS UNITED 4121 BANISH LIQ DEOD 237ML
**	50008446	OS UNITED 4202 SKIN-PREP AEROSOL 170GM
**	50008445	OS UNITED 4204 SKIN-PREP WIPES
**	50008444	OS UNITED 4305 SEAL-TITE GASKETS
**	50008443	OS UNITED 4412 TAIL CLOSURE ADULT
**	50008442	OS UNITED 4430 UNIWASH SKIN CLEANSER
**	50008441	OS UNITED 4435 UNIDERM MOISTURIZER 3 OZ
**	50008440	OS UNITED 4440 UNISALVE OINTMENT 2.47 OZ
**	50008438	OS UNITED 8150 UNITIP COLO IRRIG SET
**	50008437	OS UNITED 8152 COMB-TIP COLO IRRIG SET
**	50008436	OS UNITED 8404 CONVERT-A-POUCH SOFT FACE

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS

Item Number	Drug Name and Strength
** 50006630	AMITRIPTYLINE HCL INJ 10MG/ML 10ML VIAL
** 50002710	AMITRIPTYLINE HCL TABLET 10MG
** 50002725	AMITRIPTYLINE HCL TABLET 25MG
** 50002750	AMITRIPTYLINE HCL TABLET 50MG
** 50002775	AMITRIPTYLINE HCL TABLET 75MG
** 50002800	AMITRIPTYLINE HCL TABLET-100MG
** 50002850	AMITRIPTYLINE HCL TABLET-150MG
** 50004635	DESIPRAMINE HCL CAPSULE OR TABLET 10MG
** 50001815	DESIPRAMINE HCL CAPSULE OR TABLET 25MG
** 50001816	DESIPRAMINE HCL CAPSULE OR TABLET 50MG
** 50001822	DESIPRAMINE HCL CAPSULE OR TABLET 75MG
** 50001824	DESIPRAMINE HCL CAPSULE OR TABLET 100MG
** 50001826	DESIPRAMINE HCL CAPSULE OR TABLET 150MG
** 50005359	DOXEPIN HCL CONCENTRATE 10MG/ML 120ML
** 50005352	DOXEPIN HCL CAPSULE 10MG
** 50005353	DOXEPIN HCL CAPSULE 25MG
** 50005354	DOXEPIN HCL CAPSULE 50MG
** 50005356	DOXEPIN HCL CAPSULE 75MG
** 50005357	DOXEPIN HCL CAPSULE 100MG

**	50005358	DOXEPIN HCL CAPSULE 150MG
**	50003474	IMIPRAMINE HCL INJECTION 25MG/2ML 2ML AMP
**	50006068	IMIPRAMINE HCL TABLET 10MG
**	50006076	IMIPRAMINE HCL TABLET 25MG
**	50006078	IMIPRAMINE HCL TABLET 50MG
**	50003541	MAPROTYLINE HCL TABLET 25MG
**	50003543	MAPROTYLINE HCL TABLET 50MG
**	50003545	MAPROTYLINE HCL TABLET 75MG
**	00470270	NARDIL TABLET 15MG
**	50002005	NORTRIPTYLINE HCL SOLUTION 10MG/5ML
**	50002010	NORTRIPTYLINE HCL CAPSULE 10MG
**	50002025	NORTRIPTYLINE HCL CAPSULE 25MG
**	50002511	NORTRIPTYLINE HCL CAPSULE 50MG
**	50002075	NORTRIPTYLINE HCL CAPSULE 75MG
**	00071471	PARNATE TABLET 10MG
**	07773105	PROZAC CAPSULE 20MG
**	50000771	TRAZODONE HCL TABLET 50MG
**	50000773	TRAZODONE HCL TABLET 100MG
**	50000775	TRAZODONE HCL TABLET 150MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC

Item Number	Drug Name and Strength
** 50005940	CHLORPROMAZINE CAPSULE SR 30MG
** 50005959	CHLORPROMAZINE CAPSULE SR 75MG
** 50005960	CHLORPROMAZINE CAPSULE SR 150MG
** 50005961	CHLORPROMAZINE CAPSULE SR 200MG
** 50005962	CHLORPROMAZINE CAPSULE SR 300MG
** 50006010	CHLORPROMAZINE CONCENTRATE 30MG/ML 120ML
** 50006012	CHLORPROMAZINE INJECTION 25MG/ML 10ML VIAL
** 50000065	CHLORPROMAZINE INJECTION 25MG/2ML AMP
** 50000066	CHLORPROMAZINE INJECTION 25MG/1ML AMP
** 50000068	CHLORPROMAZINE INJECTION 50MG/2ML AMP
** 50000591	CHLORPROMAZINE SUPPOSITORY 25MG
** 50006009	CHLORPROMAZINE SUPPOSITORY 100MG
** 50005983	CHLORPROMAZINE SYRUP 10MG/5ML 120ML
** 50005908	CHLORPROMAZINE TABLET 10MG
** 50005916	CHLORPROMAZINE TABLET 25MG
** 50005924	CHLORPROMAZINE TABLET 50MG

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SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
50005932	CHLORPROMAZINE TABLET 100MG
50005934	CHLORPROMAZINE TABLET 200MG
50003437	FLUPHENAZINE DECANOATE INJ 25MG/ML 1ML S
50003438	FLUPHENAZINE DECANOATE INJ 25MG/ML 5ML V
50003439	FLUPHENAZINE ENANTHATE INJ 25MG/ML 1ML S
50003440	FLUPHENAZINE ENANTHATE INJ 25MG/ML 5ML V
50002778	FLUPHENAZINE HYDROCHLORIDE CONC 5MG/CC
50002777	FLUPHENAZINE HYDROCHLORIDE ELIXIR .5MG/CC
50002776	FLUPHENAZINE HYDROCHLORIDE TAB 1MG
50002780	FLUPHENAZINE HYDROCHLORIDE TAB 0.25MG
50002781	FLUPHENAZINE HYDROCHLORIDE TAB 1.00MG
50002782	FLUPHENAZINE HYDROCHLORIDE TAB 2.50MG
50002783	FLUPHENAZINE HYDROCHLORIDE TAB 5.00MG
50002784	FLUPHENAZINE HYDROCHLORIDE TAB-10.00MG
50003441	FLUPHENAZINE-HCL INJ 2.5MG/ML 10ML VIAL
50003799	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 1ML AMP/VIAL (50MG/ML HALOPERIDOL) 5ML VIAL
50003803	HALOPERIDOL INJECTION 5MG/ML 1ML
50004805	HALOPERIDOL INJECTION 5ML/ML 10ML
50004807	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 15ML
50004801	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 240ML
50004803	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML
50004809	HALOPERIDOL TABLET 0.5MG
50004811	HALOPERIDOL TABLET 1.0MG
50004813	HALOPERIDOL TABLET 2.0MG
50004815	HALOPERIDOL TABLET 5.0MG
50004817	HALOPERIDOL TABLET 10.0MG
50004819	HALOPERIDOL TABLET 20.0MG
00055385	LOXAPINE HCL INJ IM 1ML AMP 50MG/ML
00056385	LOXAPINE HCL INJ IM 10ML VIAL 50MG/ML
50002357	LOXAPINE SUCCINATE 5MG
50002358	LOXAPINE SUCCINATE 10MG
50002360	LOXAPINE SUCCINATE 25MG
50002362	LOXAPINE SUCCINATE 50MG
50002366	LOXAPINE SUCCINATE CONCENTRATE 25MG/ML
50003128	MOLINDONE HCL 5MG TAB/CAP
50003130	MOLINDONE HCL 10MG TAB/CAP
50003132	MOLINDONE HCL 25MG TAB/CAP
50003134	MOLINDONE HCL 50MG TAB/CAP
50003136	MOLINDONE HCL 100MG TAB/CAP
50002009	MOLINDONE HCL CONCENTRATE 20MG/ML

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SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
50007347	PROCHLORPERAZINE EDIS INJ 5MG/ML 10ML VIAL
50007348	PROCHLORPERAZINE EDIS INJ 10MG/2ML AMP
50007354	PROCHLORPERAZINE EDISYLATE CONC 10MG/ML
50007350	PROCHLORPERAZINE EDISYLATE SYR 5MG/5ML
50007351	PROCHLORPERAZINE MALEATE TAB/CAP 5MG
50007352	PROCHLORPERAZINE MALEATE TAB/CAP 10MG
50007353	PROCHLORPERAZINE MALEATE TAB/CAP 25MG
50007358	PROCHLORPERAZINE MALEATE TR CAP/TAB 10MG
50007359	PROCHLORPERAZINE MALEATE TR CAP/TAB 15MG
50007360	PROCHLORPERAZINE MALEATE TR CAP/TAB 30MG
50007361	PROCHLORPERAZINE MALEATE TR CAP/TAB 75MG
00080251	PROKETAZINE TABLET 12.5MG
00080252	PROKETAZINE TABLET 25.0MG
00080253	PROKETAZINE TABLET 50.0MG
50007371	PROMAZINE HCL CONC 30MG/ML 120ML VIAL
50007373	PROMAZINE HCL INJ 25MG/ML - 10ML VIAL
50007374	PROMAZINE HCL INJ 25MG/ML SYRINGE
50007375	PROMAZINE HCL INJ 50MG/ML - 2ML VIAL
50007376	PROMAZINE HCL INJ 50MG/ML - 10ML VIAL
50007377	PROMAZINE HCL INJ 50MG/ML SYRINGE
50007378	PROMAZINE HCL INJ 100MG/2ML SYRINGE
50007379	PROMAZINE HCL SYRUP 10MG/5ML 120ML
50007380	PROMAZINE HCL TAB/CAP 10MG
50007381	PROMAZINE HCL TAB/CAP 25MG
50007382	PROMAZINE HCL TAB/CAP 50MG
50007383	PROMAZINE HCL TAB/CAP 100MG
05970025	SERENTIL CONCENTRATE 25MG/CC
05970027	SERENTIL INJECTION 25MG/ML 1ML AMP
05970020	SERENTIL TABLET 10MG
05970021	SERENTIL TABLET 25MG
05970022	SERENTIL TABLET 50MG
05970023	SERENTIL TABLET 100MG
00041010	TARACTAN CONCENTRATE 100MG/5CC
00041926	TARACTAN INJECTION 25MG/2ML AMP
00040045	TARACTAN TABLET 10MG
00040046	TARACTAN TABLET 25MG
00040047	TARACTAN TABLET 50MG
00040049	TARACTAN TABLET 100MG
50006531	THIORIDAZINE HCL CONCENTRATE 30MG/ML
50006533	THIORIDAZINE HCL CONCENTRATE 100MG/ML
50006535	THIORIDAZINE HCL SUSPENSION 25MG/5ML
50006537	THIORIDAZINE HCL SUSPENSION 100MG/5ML
50006541	THIORIDAZINE HCL TABLET 10MG

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SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
** 50006543	THIORIDAZINE HCL TABLET 15MG
** 50006545	THIORIDAZINE HCL TABLET 25MG
** 50006547	THIORIDAZINE HCL TABLET 50MG
** 50006549	THIORIDAZINE HCL TABLET 100MG
** 50006551	THIORIDAZINE HCL TABLET 150MG
** 50006553	THIORIDAZINE HCL TABLET 200MG
** 50006040	THIOXIXENE CAPSULE 1MG
** 50006042	THIOXIXENE CAPSULE 2MG
** 50006044	THIOXIXENE CAPSULE 5MG
** 50006046	THIOXIXENE CAPSULE 10MG
** 50006048	THIOXIXENE CAPSULE 20MG
** 50006035	THIOXIXENE HCL CONCENTRATE 5MG/ML 30ML
** 50006037	THIOXIXENE HCL CONCENTRATE 5MG/ML 120ML
** 50006027	THIOXIXENE HCL INJECTION 2MG/ML 2ML VIAL
** 50006029	THIOXIXENE HCL INJECTION 5MG/ML 2ML VIAL
** 50006028	TINDAL TABLET 20MG
** 50001262	TRIFLUOPERAZINE HCL CONC 10MG/ML
** 50001264	TRIFLUOPERAZINE HCL INJECTION 2MG/ML
** 50001266	TRIFLUOPERAZINE HCL TABLET 1MG
** 50001268	TRIFLUOPERAZINE HCL TABLET 2MG
** 50001270	TRIFLUOPERAZINE HCL TABLET 5MG
** 50001272	TRIFLUOPERAZINE HCL TABLET 10MG
** 00850363	TRIAFON CONCENTRATE 16MG/5CC 120CC
** 00850012	TRIAFON INJECTION 5MG/ML 1ML AMP
** 00850141	TRIAFON REPETABS TABLET 8MG
** 00850705	TRIAFON TABLET 2MG
** 00850940	TRIAFON TABLET 4MG
** 00850313	TRIAFON TABLET 8MG
** 00850077	TRIAFON TABLET 16MG
** 00031987	VESPRIN INJECTION 10MG/ML 1ML SYRINGE
** 00030987	VESPRIN INJECTION 10MG/ML 10ML VIAL
** 00030920	VESPRIN INJECTION 20MG/ML 1ML AMP
** 00030935	VESPRIN SUSPENSION 50MG/5CC 120CC
** 00030921	VESPRIN TABLET 10MG
** 00030922	VESPRIN TABLET 25MG
** 00030923	VESPRIN TABLET 50MG

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4200 SKIN/MUCOUS MEMBRANE: ANTIBIOTICS

Item Number	Drug Name and Strength
** 50000006	BACITRACIN OINTMENT 15GM SIZE
** 50000007	BACITRACIN OINTMENT 30GM SIZE
** 50002430	BACITRACIN/NEOMYCIN/POLYMYXIN TOP OINT 15GM
** 50002432	BACITRACIN/NEOMYCIN/POLYMYXIN TOP OINT 30GM
** 50002434	BACITRACIN/POLYMYXIN TOP OINT 15GM
** 50002436	BACITRACIN/POLYMYXIN TOP OINT 30GM
** 50001641	CHLORAMPHENICOL CREAM 1% 30GM
** 50001642	CHLORTETRACYCLINE HCL OINTMENT 3% 14.2GM
** 50001643	CHLORTETRACYCLINE HCL OINTMENT 3% 30GM
** 50001633	CLINDAMYCIN PHOSPHATE TOPICAL GEL 1% 7.5GM
** 50001635	CLINDAMYCIN PHOSPHATE TOPICAL GEL 1% 30GM
** 50001644	CLINDAMYCIN PHOSPHATE TOPICAL SOLUTION 10MG/ML 30ML
** 50001645	CLINDAMYCIN PHOSPHATE TOPICAL SOLUTION 10MG/ML 60ML
** 50003287	ERYTHROMYCIN GEL 2% 30GM
** 50003289	ERYTHROMYCIN GEL 2% 65GM
** 50003517	ERYTHROMYCIN SWAB 2%
** 50001646	ERYTHROMYCIN TOPICAL SOLUTION 1.5% 60ML
** 50001647	ERYTHROMYCIN TOPICAL SOLUTION 2.0% 60ML
** 50001648	GENTAMICIN SULFATE CREAM 0.1% 15GM
** 50001649	GENTAMICIN SULFATE OINTMENT 0.1% 15GM
** 50001650	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 20GM
** 50001640	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 45GM
** 50006421	MUPIROCIIN OINTMENT 2% 15GM
** 50003860	NEOMYCIN SULFATE OINTMENT 0.5% 15GM
** 50003861	NEOMYCIN SULFATE OINTMENT 0.5% 30GM
** 60008024	SKIN/MUCOUS MEMBRANE ANTIBIOTIC-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00690860	TERRAMYCIN TOPICAL PWD C POLYMYXIN 30GM
** 50001652	TETRACYCLINE HCL OINTMENT 3% 14.2GM TUBE
** 37000401	TETRACYCLINE TOPICAL SOLUTION 2.2MG/ML

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.4230

SKIN/MUCOUS MEMBRANE: ANTIFUNGAL/ANTI-INFLAMMATORY

Item Number	Drug Name and Strength
00850924	LOTTRISONE CREAM 15GM
<u>00851924</u>	<u>LOTTRISONE CREAM 45GM</u>

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4230

SKIN/MUCOUS MEMBRANE: ANTIFUNGAL/ANTI-INFLAMMATORY (Cont'd.)

Item Number	Drug Name and Strength
50003221	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% CREAM 15GM
50003223	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% CREAM 30GM
50003225	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% CREAM 60GM
50003227	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% OINTMENT 15GM
50003229	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% OINTMENT 30GM
50003231	NYSTATIN 100,000U/GM; TRIAMCINOLONE ACETONIDE 0.1% OINTMENT 60GM

(Source: Added at 13 Ill. Reg. 3850, effective March 17, 1989)

SECTION 141.4800

VAGINAL: MISCELLANEOUS

Item Number	Drug Name and Strength
00625420	ACI-JEL C APPLICATOR 85GM
00625450	DIENESTROL VAGINAL CREAM WITH APP 78GM
00626450	DIENESTROL VAGINAL CREAM-TUBE ONLY 78GM
00870754	ESTRACE VAGINAL CREAM W/APP 42.5GM
00742467	OGEN VAGINAL CREAM WITH APPLICATOR 45GM
00460874	PREMARIN VAGINAL CREAM C APP 45GM
00461874	PREMARIN VAGINAL CREAM REFILL 45GM

(Source: Amended at 13 Ill. Reg. 3850, effective March 17, 1989)

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: FOOD STAMPS
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Number: Adopted Action:
121.135 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).
- 5) Effective Date of Amendment: March 10, 1989
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
December 16, 1988 (12 Ill. Reg. 20686)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No changes were made to the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.58	Amendment	March 24, 1989 (13 Ill. Reg. 3541)
121.62	Amendment	March 24, 1989 (13 Ill. Reg. 3541)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 121. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jessie B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section

121.1 Application for Assistance
121.2 Time Limitations on the Disposition of an Application
121.3 Approval of an Application and Initial Authorization of Assistance
121.4 Denial of an Application
121.5 Client Cooperation
121.6 Emergency Assistance
121.7 Expedited Services

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

121.19 Ending a Voluntary Quit Disqualification
121.20 Citizenship
121.21 Residence
121.22 Social Security Numbers
121.23 Work Registration/Participation Requirements
121.24 Individuals Exempt From Work Registration Requirements
121.25 Failure to Comply
121.26 Period of Disqualification
121.27 Voluntary Job Quit
121.28 Good Cause for Voluntary Job Quit
121.29 Exemptions from Voluntary Quit Rule

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

121.30 Unearned Income
121.31 Exempt Unearned Income
121.32 Education Benefits
121.33 Unearned Income In-Kind
121.34 Lump Sum Payments and Income Tax Refunds
121.40 Earned Income
121.41 Budgeting Earned Income
121.50 Exempt Earned Income
121.51 Income from Work/Study/Training Programs
121.52 Earned Income from Roomer and Boarder

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENT

Section

121.53 Income From Rental Property
121.54 Earned Income In-Kind
121.55 Sponsors of Aliens
121.57 Assets
121.58 Exempt Assets
121.59 Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section

121.60 Net Monthly Income Eligibility Standards
121.61 Gross Monthly Income Eligibility Standards
121.62 Income Which Must Be Annualized
121.63 Deductions From Monthly Income
121.64 Coupon Allotment

SUBPART E: HOUSEHOLD CONCEPT

Section

121.70 Persons Who May Be Included in the Assistance Unit
121.71 Living Arrangement
121.72 Nonhousehold Members
121.73 Ineligible Household Members
121.74 Strikers
121.75 Students

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section

121.80 Fraud Disqualification (Renumbered)
121.81 Initiation of Administrative Fraud Hearing (Repealed)
121.82 Definition of Fraud (Renumbered)
121.83 Notification To Applicant Households (Renumbered)
121.84 Disqualification Upon Finding of Fraud (Renumbered)
121.85 Court Imposed Disqualification (Renumbered)
121.90 Monthly Reporting and Retrospective Budgeting
121.91 Monthly Reporting
121.92 Retrospective Budgeting
121.93 Direct Mail Issuance of Food Stamp Coupons
121.94 Replacement of Food Stamp Coupons or ATP Documents
121.95 Restoration of Lost Benefits
121.96 Uses For Food Coupons
121.97 Supplemental Payments
121.98 Food Stamp Simplified Application Demonstration Project (Repealed)
121.120 Recertification of Eligibility

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section

121.130 Residents of Shelters for Battered Women and their Children
121.135 Incorporation By Reference
121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section

121.150 Definition of Intentional Violations of the Program
121.151 Penalties for Intentional Violations of the Program
121.152 Notification To Applicant Households
121.153 Disqualification Upon Finding of Intentional Violation of the Program
121.154 Court Imposed Disqualification

SUBPART H: CLAIMS FOR OVERISSUANCES OF FOOD STAMP BENEFITS

Section

121.200 Types of Claims (Recodified)
121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)
121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
121.203 Collecting Claim Against Households (Recodified)
121.204 Failure to Respond to Initial Demand Letter (Recodified)
121.205 Methods of Repayment of Food Stamp Claims (Recodified)
121.206 Determination of Monthly Allotment Reductions (Recodified)
121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
121.208 Suspension and Termination of Claims (Recodified)
AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.4 through 12-4.6 and 12-3).

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 121.135 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3890, effective March 10, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: GENERAL ADMINISTRATIVE PROVISIONS

2) Code Citation: 89 Ill. Adm. Code 101

3) Section Number: Adopted Action:

101.1 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Par. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).

5) Effective Date of Amendment: March 17, 1989

6) Does this rulemaking contain an automatic repeal date?
 Yes X No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 17, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20694)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This new Section explains how incorporated by reference applies to 89 Ill. Adm. Code 101. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
 Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
 Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 101

GENERAL ADMINISTRATIVE PROVISIONS

Section

101.1 Incorporation By Reference101.10 Applicability101.20 Definitions101.30 Assistance Programs101.40 Assistance Program Restrictions

AUTHORITY: Implementing Articles I and II and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. §9811987, ch. 23, pars. 1-1 et seq., 2-1 et seq. and 12-13).

SOURCE: Filed and effective December 30, 1977; emergency amendment at 2 Ill. Reg. 5, p. 194, effective January 23, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 19, p. 108, effective May 1, 1978, for maximum of 150 days; amended at 2 Ill. Reg. 25, p. 50, effective June 24, 1978; amended at 2 Ill. Reg. 33, p. 27, effective August 17, 1978; amended at 3 Ill. Reg. 43, p. 196, effective October 15, 1979; emergency amendment at 4 Ill. Reg. 1, p. 78, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 23, p. 80, effective May 23, 1980; amended at 5 Ill. Reg. 1369, effective January 29, 1981; peremptory amendments at 5 Ill. Reg. 10072, 10076, and 10079, effective October 1, 1981; amended at 5 Ill. Reg. 12728, effective November 1, 1981; codified at 7 Ill. Reg. 5195; amended at 13 Ill. Reg. 3897, effective March 17, 1989.

Section 101.1

Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3897, effective March 17, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: GENERAL ASSISTANCE2) Code Citation: 89 Ill. Adm. Code 1143) Section Number: Adopted Action:

114.5

New Section

4) Statutory Authority: Sections 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)5) Effective Date of Amendment: March 10, 19896) Does this rulemaking contain an automatic repeal date?Yes X No7) Does this amendment contain incorporations by reference? No8) Date Filed in Agency's Principal Office: March 10, 19899) Notice of Proposal Published in Illinois Register:
December 16, 1988 (12 Ill. Reg. 20697)10) Has JCAR issued a Statement of Objections to this rule? No11) Differences between proposal and final version: No substantive changes were made to the text of the rule.12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this amendment replace an emergency amendment currently in effect? No14) Are there any amendments pending on this Part? YesSection Numbers Proposed Action Illinois Register Citation

114.127

Amendment

February 17, 1989
(13 Ill. Reg. 1959)15) Summary and Purpose of Amendment: This new section explains how incorporation by reference applies to 89 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Adm. Code Part 114. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jessie B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section
114.1 Description of the Assistance Program
114.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements
114.61	Individuals Exempt From Work Registration Requirements
114.62	Job Service Registration
114.63	Failure to Maintain Current Job Service Registration
114.64	Responsibility to Seek Employment
114.70	Initial Employment Expenses
114.80	Work and Training Programs
114.100	General Assistance Jobs Program (Repealed)

SUBPART C: PROJECT ADVANCE

Section	
114.108	Project Advance
114.109	Project Advance Participation Requirements of Adjudicated Fathers
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers
114.111	Project Advance Sanctions
114.113	Project Advance Good Cause for Failure to Comply
114.115	Individuals Exempt From Project Advance
114.117	Project Advance Supportive Services

SUBPART D: PROJECT CHANGE

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section
114.120 Employment, Training, Rehabilitation, and Advocacy for General Assistance Programs Administered by the Illinois Department of Public Aid

114.121 Persons Required to Participate in Employment and Training

114.122 Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act

114.123 Persons in Need of Work Rehabilitative Services (WRS) to Become Employable

114.124 Employment and Training Participation/Cooperation Requirements

114.125 Employment and Training Program Orientation

114.126 Employment and Training Program Full Assessment Process/Development of an Employment Plan

114.127 Employment and Training Program Components

114.128 Employment and Training Sanctions

114.129 Good Cause For Failure to Cooperate With Work and Training Participation Requirements

114.130 Employment and Training Supportive Services

114.140 Employment Child Care

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section
114.200 Unearned Income

114.201 Budgeting Unearned Income

114.202 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

114.203 Initial Receipt of Unearned Income

114.204 Termination of Unearned Income

114.210 Exempt Unearned Income

114.220 Education Benefits

114.221 Unearned Income In-Kind

114.222 Earmarked Income

114.223 Lump Sum Payments

114.224 Protected Income

114.225 Earned Income

114.226 Budgeting Earned Income

114.227 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

114.228 Initial Employment

114.229 Termination of Employment

114.230 Exempt Earned Income

114.235 Recognized Employment Expenses

114.240 Income From Work/Study/Training Program

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section
114.241 Earned Income From Self-Employment

114.242 Earned Income From Roomer and Boarder

114.243 Earned Income From Rental Property

114.244 Earned Income In-Kind

114.245 Payments from the Illinois Department of Children and Family Services

114.246 Budgeting Earned Income For Contractual Employees

114.247 Budgeting Earned Income For Non-contractual School Employees

114.250 Assets

114.251 Exempt Assets

114.252 Asset Disregards

114.260 Deferral of Consideration of Assets

114.270 Property Transfers

114.280 Supplemental Payment

SUBPART F: PAYMENT AMOUNTS

Section
114.350 Payment Levels for General Assistance

114.351 Payment Levels in Group I Counties

114.352 Payment Levels in Group II Counties

114.353 Payment Levels in Group III Counties

SUBPART G: OTHER PROVISIONS

Section
114.400 Persons Who May Be Included In the Assistance Unit

114.401 Eligibility of Strikers

114.402 Special Needs Authorizations

114.403 Institutional Status

114.404 Retrospective Budgeting

114.405 Budgeting Schedule

114.420 Redetermination of Eligibility

114.430 Six Month Extension of Medical Assistance Due to Increased Income From Employment

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 6-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory

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amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1,

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16) Information and questions regarding this Adopted Amendment shall be directed to:

Name:

Anita Williams, Staff Attorney
Office of the General Counsel

Address:

Illinois Department of Public Aid
Jessie B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone:

(217) 782-1233

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10

Eligibility For Medical Assistance

Eligibility For Medical Assistance For Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

120.20

MANG(AABD) Income Standard

120.30

MANG(C) Income Standard

120.31

MANG(P) Income Standard

120.40

Exceptions To Use Of MANG Income Standard

Section
120.50

AMI Income Standard

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG(AABD) and MANG(C)

120.62

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643

120.63

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings

120.64

Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

DEPARTMENT OF PUBLIC AID

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Section
120.70 Supplementary Medical Insurance Benefits, Buy-In Program

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80 Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90 Migrant Medical Program
120.91 Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.208 Client Cooperation
120.210 Citizenship
120.211 Residence
120.212 Age

120.215 Relationship
120.216 Living Arrangement
120.217 Supplemental Payments
120.218 Institutional Status
120.224 Foster Care Program
120.225 Social Security Numbers
120.230 Unearned Income
120.235 Exempt Unearned Income
120.236 Education Benefits
120.240 Unearned Income In-Kind
120.245 Earmarked Income
120.250 Lump Sum Payments and Income Tax Refunds
120.255 Protected Income
120.260 Earned Income
120.261 Budgeting Earned Income
120.262 Exempt Earned Income
120.270 Recognized Employment Expenses
120.271 Income From Work/Study/Training Program
120.272 Earned Income From Self-Employment
120.273 Earned Income From Roomer and Boarder
120.275 Earned Income In-Kind
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120.281 Exempt Assets
120.282 Asset Disregards
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Section
120.285 Property Transfers
120.290 Persons Who May Be Included in the Assistance Unit
120.295 Payment Levels for AMI

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

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120.309 Caretaker Relative
120.310 Citizenship
120.311 Residence
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120.313 Blind
120.314 Disabled
120.315 Relationship
120.316 Living Arrangements
120.317 Supplemental Payments
120.318 Institutional Status
120.319 Assignment of Rights to Medical Support and Collection of Payment

120.320 Cooperation in Establishing Paternity and Obtaining Medical Support
120.321 Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322 Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323 Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause

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120.332 Budgeting Unearned Income
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120.345 Earmarked Income
120.350 Lump Sum Payments and Income Tax Refunds
120.355 Protected Income
120.360 Earned Income
120.361 Budgeting Earned Income
120.362 Exempt Earned Income
120.364 Earned Income Exemption
120.366 Exclusion From Earned Income Exemption
120.370 Recognized Employment Expenses

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Section
120.371 Income From Work/Study/Training Programs
120.372 Earned Income From Self-Employment
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120.375 Earned Income In Kind
120.376 Payments from the Illinois Department of Children and Family Services

120.380 Assets
120.381 Exempt Assets
120.382 Asset Disregard
120.383 Deferral of Consideration of Assets
120.385 Property Transfers
120.390 Persons Who May Be Included In the Assistance Unit
120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Infants Under Age One Year
120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy

120.395 Payment Levels for MANG
120.399 Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980;

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amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328,

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effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

SUBPART A: GENERAL PROVISIONS

Section 120.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3908, effective March 10, 1989)

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: MEDICAL PAYMENT
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: Adopted Action:
140.19 Amendment
- 4) Statutory Authority: Sections 12-4.25 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-4.25 and 12-13)
- 5) Effective Date of Amendment: March 17, 1989
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 17, 1989
- 9) Notice of Proposal Published in Illinois Register: August 12, 1988 (12 Ill. Reg. 12976)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No changes were made to the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.16	Amendment	March 10, 1989 (13 Ill. Reg. 2937)
140.17	Amendment	March 10, 1989 (13 Ill. Reg. 2937)

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Section Numbers	Proposed Action	Illinois Register Citation
140.20	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.21	Amendment	March 17, 1989 (13 Ill. Reg. 3295)
140.43	New Section	December 2, 1988 (12 Ill. Reg. 19868)
140.110	New Section	July 15, 1988 (12 Ill. Reg. 11701)
140.390	Amendment	November 4, 1988 (12 Ill. Reg. 17643)
140.392	Amendment	November 4, 1988 (12 Ill. Reg. 17643)
140.394	Amendment	November 4, 1988 (12 Ill. Reg. 17643)
140.400	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.435	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.436	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.440	Amendment	December 30, 1988 (12 Ill. Reg. 22329)
140.525	Amendment	October 28, 1988 (12 Ill. Reg. 17172)
140.526	Amendment	February 3, 1989 (13 Ill. Reg. 1420)
140.642	Amendment	November 28, 1988 (12 Ill. Reg. 19613)
140.896	New Section	July 15, 1988 (12 Ill. Reg. 11701)

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- 15) Summary and Purpose of Amendments: This amendment specifies that if a terminated vendor or barred individual has applied for reinstatement and that application is denied, the vendor or individual is barred from reapplying for one year.

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jessie B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section	
140.1	Incorporation By Reference
140.2	Medical Assistance Programs
140.3	Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.4	Covered Medical Services Under GA and AMI
140.5	Medical Services Not Covered
140.6	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Infants Under Age One Year
140.8	Medical Assistance For Qualified Severely Impaired Individuals
140.9	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10	Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section	
140.11	Enrollment Conditions for Medical Providers
140.12	Participation Requirements for Medical Providers
140.13	Definitions
140.14	Denial of Application to Participate in the Medical Assistance Program
140.15	Recovery of Money
140.16	Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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Section

140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement
Subsequent to Termination, Suspension or Barring
140.20 Submittal of Claims
140.21 Magnetic Tape Billings
140.22 Payment of Claims
140.23 Payment Procedures
140.24 Overpayment or Underpayment of Claims
140.25 Payment to Factors Prohibited
140.26 Assignment of Vendor Payments
140.27 Record Requirements for Medical Providers
140.28 Audits
140.29 False Reporting and Other Fraudulent Activities
140.30 Prior Approval for Medical Services or Items
140.31 Prior Approval in Cases of Emergency
140.32 Limitation on Prior Approval
140.33 Drug Manual (Recodified)
140.34 Drug Manual (Recodified)
140.35 Drug Manual Update (Recodified)

SUBPART C: HOSPITAL SERVICES

Section

140.94 Hospital Services
140.95 Participation
140.96 General Requirements
140.97 Special Requirements
140.98 Covered Hospital Services
140.99 Hospital Services Not Covered
140.100 Limitation On Hospital Services
140.101 Transplants
140.102 Heart Transplants
140.103 Liver Transplants
140.104 Bone Marrow Transplants
140.110 Disproportionate Share Hospital Adjustments (Emergency Expired)
140.116 Payment for Inpatient Services for GA
140.117 Hospital Outpatient and Clinic Services
140.200 Payment for Hospital Services During Fiscal Year 1982
140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
140.202 Payment for Hospital Services During Fiscal Year 1983
140.203 Limits on Length of Stay by Diagnosis
140.300 Payment for Pre-operative Days and Services Which Can Be performed in an Outpatient Setting

Section

140.350 Copayments
140.360 Payment Methodology
140.361 Non-Participating Hospitals
140.362 Pre July 1, 1989 Services
140.363 Post June 30, 1989 Services
140.364 Prepayment Review
140.365 Base Year Costs
140.366 Restructuring Adjustment
140.367 Inflation Adjustment
140.368 Volume Adjustment (Repealed)
140.369 Groupings
140.370 Rate Calculation
140.371 Payment
140.372 Review Procedure
140.373 Utilization (Repealed)
140.374 Alternatives
140.375 Exemptions
140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390 Subacute Alcoholism and Substance Abuse Services
140.391 Definitions
140.392 Types of Subacute Alcoholism and Substance Abuse Services
140.394 Payment for Subacute Alcoholism and Substance Abuse Services
140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services
140.398 Abuse Services
Hearings

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section

140.400 Payment to Practitioners and Laboratories
140.410 Physicians' Services
140.411 Covered Services By Physicians
140.412 Services Not Covered By Physicians
140.413 Limitation on Physician Services
140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
140.416 Optometric Services and Materials
140.417 Limitations on Optometric Services
140.418 Department of Corrections Laboratory
140.420 Dental Services
140.421 Limitations on Dental Services
140.422 Requirements for Prescriptions and Dispensing of Pharmacy Items - Dentists

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Section	
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry
140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services
140.430	Independent Laboratory Services
140.431	Services Not Covered by Independent Laboratory
140.432	Limitations on Independent Laboratory Services
140.433	Payment for Laboratory Services
140.434	Record Requirements for Independent Laboratories
140.440	Pharmacy Services
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140.909	Statewide Rates (Recodified)
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12858, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899;

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peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14584, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill.

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Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140 Table H and 140 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147 Table A and 147 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Reg. 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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NOTICE OF ADOPTED AMENDMENT

Section 140.19

Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

- a) A vendor that has been terminated from the Medical Assistance Program may not apply to participate for at least one year from the date of the final administrative decision terminating eligibility. After one year a vendor who has been terminated may apply for reinstatement to the program. If a vendor's application for reinstatement is denied by the Department, he shall be barred from again applying for reinstatement for one year from the date of the final administrative decision denying his application for reinstatement.
- b) At the end of a period of suspension, a vendor that has been suspended from the Medical Assistance Program shall be reinstated automatically upon completion of the necessary enrollment forms and execution of a new vendor agreement unless it is determined that such vendor has not corrected the deficiencies upon which the suspension was based. If the deficiencies have not been corrected, the vendor shall, after notice and hearing, be terminated.
- c) An individual barred pursuant to Section 140.18 can apply to participate in the Medical Assistance Program. If an individual's application is denied by the Department, he shall be barred from again applying for one year from the date of the final administrative decision denying his application.

(Source: Amended at 13 Ill. Reg. 3917, effective March 17, 1989)

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NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: REFUGEE/ENTRANT/REPATRIATE PROGRAM
- 2) Code Citation: 89 Ill. Adm. Code 115
- 3) Section Number: 115.1 Adopted Action: New Section
- 4) Statutory Authority: Sections 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)
- 5) Effective Date of Amendment: March 10, 1989
- 6) Does this rulemaking contain an automatic repeal date?
 Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
 December 16, 1988 (12 Ill. Reg. 20735)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between proposal and final version: No changes were made to the text of the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This new section explains how incorporation by reference applies to 89 Ill. Adm. Code Part 115. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

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NOTICE OF ADOPTED AMENDMENT

Section 115.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3932, effective March 10, 1989)

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NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: RELATED PROGRAM PROVISIONS

2) Code Citation: 89 Ill. Adm. Code 117

3) Section Number: Adopted Action:

117.1 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
___ Yes x No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:
December 16, 1988 (12 Ill. Reg. 20739)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

Section Number Proposed Action Illinois Register Citation

117.40 Amendment June 17, 1988
(12 Ill. Reg. 10373)

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill.

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Adm. Code 117. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jessie B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 117
RELATED PROGRAM PROVISIONS

Section

117.1	Incorporation By Reference
117.10	Payee for Financial Assistance
117.20	Replacement of Missing Warrants
117.30	Withholding of Rent (Repealed)
117.40	Recovery of Interim Assistance - Aid to the Aged, Blind or Disabled and General Assistance
117.50	Funerals and Burials
117.51	Funeral Home Services
117.52	Burial Expenses
117.53	Payment to Vendor(s)
117.54	Claims for Reimbursement
117.55	Submittal of Claims
117.60	Substitute Parental Care/Supplemental Child Care - AFDC, AABD and GA Family Cases
117.70	Charge for Replacement of Photo ID Cards (Repealed)
117.80	Direct Deposit of Recipients' Warrants

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Filed and effective December 30, 1977; amended at 2 Ill. Reg. 31, p. 68, effective August 3, 1978; amended at 3 Ill. Reg. 38, p. 258, effective September 20, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16111, effective November 22, 1983; amended at 9 Ill. Reg. 3726, effective March 13, 1985; amended at 9 Ill. Reg. 4526, effective March 20, 1985; amended at 9 Ill. Reg. 8733, effective May 29, 1985; amended at 9 Ill. Reg. 10779, effective July 5, 1985; amended at 9 Ill. Reg. 16914, effective October 16, 1985; amended at 11 Ill. Reg. 4759, effective March 13, 1987; amended at 12 Ill. Reg. 2985, effective January 13, 1988; amended at 12 Ill. Reg. 13608, effective August 15, 1988; amended at 12 Ill. Reg. 14296, effective August 30, 1988; amended at 13 Ill. Reg. 3936, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

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Section 117.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3936, effective March 10, 1989)

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NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: RIGHTS AND RESPONSIBILITIES

2) Code Citation: 89 Ill. Adm. Code 102

3) Section Number: Adopted Action:

102.1 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes X No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:

December 16, 1988 (12 Ill. Reg. 20743)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rules.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
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102.120	Amendment	November 4, 1988 (12 Ill. Reg. 17663)
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15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 102. Under this rule, rules and regulations of

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an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 102

RIGHTS AND RESPONSIBILITIES

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

Section

102.1	Incorporation By Reference
102.10	Rights of Clients
102.20	Nondiscrimination
102.25	Grievance Rights of Clients
102.30	Confidentiality of Case Information
102.35	Case Records
102.40	Freedom of Choice
102.50	Reporting Change of Circumstances
102.60	Referral Requirements
102.63	Reporting Child Abuse/Neglect
102.66	Suitability of Home
102.70	Notice to Client
102.80	Right to Appeal
102.81	Continuation of Assistance Pending Appeal
102.82	Time Limit for Filing an Appeal
102.83	Examining Department Records
102.84	Child Care
102.90	Voluntary Repayment of Assistance
102.100	Excess Assistance (Recodified)
102.110	Recoupment of Overpayments (Recodified)
102.120	Correction of Underpayments
102.200	Recovery of Assistance
102.210	Estate Claims
102.220	Real Property Liens
102.230	Filing and Renewal of Liens
102.240	Foreclosure of Liens
102.250	Release of Liens
102.260	Personal Injury Claims
102.270	Convictions of Fraud - Eligibility
102.280	Single Conviction of Fraud - Administrative Review Board

AUTHORITY: Implementing Article XI and authorized by Sections 12-4.4 through 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, pars. 11-1 et seq., 12-4.4 through 12-4.6 and 12-13.)

SOURCE: Filed and effective December 31, 1977; peremptory rule at 2 Ill. Reg. 52, p. 449, effective December 13, 1978; amended

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NOTICE OF ADOPTED AMENDMENT

at 2 Ill. Reg. 52, p. 462, December 23, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 39, effective March 1, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; amended at 3 Ill. Reg. 43, p. 196, effective October 15, 1979; amended at 5 Ill. Reg. 8035, effective July 27, 1981; amended at 5 Ill. Reg. 10775, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 7 Ill. Reg. 8350, effective July 1, 1983; amended at 8 Ill. Reg. 18910, effective September 26, 1984; amended at 9 Ill. Reg. 327, effective December 31, 1984; amended at 9 Ill. Reg. 3730, effective March 13, 1985; amended at 9 Ill. Reg. 6812, effective April 26, 1985; amended at 9 Ill. Reg. 7162, effective May 1, 1985; amended at 9 Ill. Reg. 13091, effective August 16, 1985; amended at 9 Ill. Reg. 14704, effective September 13, 1985; amended at 9 Ill. Reg. 15912, effective October 4, 1985; amended at 10 Ill. Reg. 3981, effective February 22, 1986; amended at 10 Ill. Reg. 14795, effective August 29, 1986; amended at 10 Ill. Reg. 19088, effective October 24, 1986; Sections 102.100 and 102.110 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 14067, effective August 10, 1987; amended at 11 Ill. Reg. 18239, effective October 30, 1987; amended at 12 Ill. Reg. 3735, effective February 5, 1988; amended at 13 Ill. Reg. 3940, effective March 10, 1989.

Section 102.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3940, effective March 10, 1989)

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS
- 2) Code Citation: 89 Ill. Adm. Code 104
- 3) Section Number: Adopted Action: 104.800 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).
- 5) Effective Date of Amendment: March 10, 1989
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 10, 1989
- 9) Notice of Proposal Published in Illinois Register: December 16, 1988 (12 Ill. Reg. 20747)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No changes were made to the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 104. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

specified, and later amendments or editions are not included.

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 104

RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS

SUBPART A: ASSISTANCE APPEALS

Section	
104.1	Assistance Appeals
104.10	Initiation of Appeal Process
104.11	Pre-Appeal Review
104.12	Notice of Hearing
104.20	Conduct of Hearings
104.21	Representation
104.22	Appellant Participation in Hearing
104.23	Evidentiary Requirements
104.30	Subpoenas
104.35	Amendment of Appeal
104.40	Consolidation of Appeals
104.45	Postponement of Hearings
104.50	Withdrawal of Appeal
104.55	Closing of Hearing Record
104.60	Dismissal of Appeal
104.70	Final Administrative Decision
104.80	Public Aid Committee

SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS

Section	
104.100	Responsible Relative and Joint Payee Petitions
104.101	Petition for Hearing
104.102	Conduct of Administrative Support Hearings
104.103	Conduct of Hearings to Contest the Determination of Past-Due Support or of Share of Jointly-Owned Funds
104.104	Conduct of Hearings to Stay Service of an Administrative Order for Withholding or Notice of Delinquency, or to Modify, Suspend or Terminate an Administrative Order for Withholding

SUBPART C: MEDICAL VENDOR HEARINGS

Section	
104.200	Applicability
104.202	Definitions
104.204	Notice of Denial of An Application
104.206	Notice of Intent to Recover Money

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Section
104.208 Notice of Intent to Terminate
104.210 Right to Hearing
104.212 Prior Factual Determinations
104.215 Notice of Formal Conference
104.216 Formal Conference on Recovery of Money
104.217 Purpose of Formal Conference
104.220 Notice of Hearing
104.221 Issues at Hearings
104.225 Legal Counsel
104.226 Appearance of Attorney or Other Representative
104.230 Notice, Service and Proof of Service
104.231 Form of Papers
104.240 Conduct of Hearings
104.241 Amendments
104.242 Motions
104.243 Subpoenas
104.244 Burden of Proof
104.245 Witness at Hearings
104.246 Evidence at Hearings
104.247 Cross Examination
104.250 Official Notice
104.255 Computer Generated Documents
104.260 Recommendation of Peer Review Committee
104.270 Time Limits for Hearings
104.271 Continuances and Extensions
104.272 Withholding of Payments During Pendancy of Proceedings
104.273 Continuation of Payments During Pendancy of Proceedings
104.274 Denial of Payments for Services During Pendancy of Proceedings
104.280 Record of Hearings
104.285 Failure to Appear
104.290 Recommended Decision
104.295 Director's Decision

SUBPART D: RULES FOR JOINT DEPARTMENT ACTIONS AGAINST SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES PARTICIPATING IN THE MEDICAID PROGRAM

104.300 Authority
104.302 Definitions
104.304 Department Actions Against Nursing Homes
104.310 Certification
104.320 Joint Administrative Hearing
104.330 Facilities Certified Under Both Medicare and Medicaid
104.400 Suspected Intentional Violation of the Program

Section
104.410 Advance Notice of Administrative Disqualification Hearing
104.420 Postponement of Hearing
104.430 Administrative Disqualification Hearing Procedures
104.440 Failure to Appear
104.450 Participation While Awaiting a Hearing
104.460 Consolidation of Administrative Disqualification Hearing with Fair Hearing

SUBPART E: FOOD STAMP ADMINISTRATIVE DISQUALIFICATION HEARINGS

Section
104.470 Administrative Disqualification Hearing Decision and Notice of Decision
104.480 Appeal Procedure

SUBPART F: INCORPORATION BY REFERENCE

Incorporation By Reference

AUTHORITY: Implementing Sections 11-8 et seq., 12-4.9 and 12-4.25 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 11-8 et seq., 12-4.9, 12-4.25 and 12-13)

SOURCE: Filed and effective December 30, 1977; emergency rule at 2 Ill. Reg. 11 pg. 151 effective March 9, 1978 for a maximum of 150 days; amended at 2 Ill. Reg. 33, p. 57, effective August 17, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 38 effective March 1, 1979; amended at 4 Ill. Reg. 21, p. 80, effective May 8, 1980; peremptory amendment 5 Ill. Reg. 1197, effective January 23, 1981; amended at 5 Ill. Reg. 10753 effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 8 Ill. Reg. 5274, effective April 9, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 16979; amended at 8 Ill. Reg. 18114, effective September 21, 1984; amended at 10 Ill. Reg. 10129, effective June 1, 1986; amended at 11 Ill. Reg. 9213, effective April 30, 1987; amended at 12 Ill. Reg. 9142, effective May 16, 1988; amended at 13 Ill. Reg. 3944, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART F: INCORPORATION BY REFERENCE

Section 104.800 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3944, effective March 10, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: SPECIAL ELIGIBILITY GROUPS

2) Code Citation: 89 Ill. Adm. Code 118

3) Section Number: Adopted Action:
118.300 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02)

5) Effective Date of Amendment: March 10, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes X No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 10, 1989

9) Notice of Proposal Published in Illinois Register:
December 16, 1988 (12 Ill. Reg. 20753)

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

Section Number Proposed Action Illinois Register Citation

118.200 Repealed July 8, 1988
(12 Ill. Reg. 11412)

15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 118. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel
Address: Illinois Department of Public Aid
Jessie B. Harris Building
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762
Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS
PART 118
SPECIAL ELIGIBILITY GROUPS
SUBPART A: DISABLED ADULT CHILDREN

Section
118.100 Disabled Adult Children

SUBPART B: MEDICAL PAYMENTS FOR DRUGS FOR PERSONS
WITH ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS)
OR AIDS RELATED COMPLEXES (ARC)

Section
118.200 Drugs to Prolong the Lives of Persons With Acquired
Immunodeficiency Syndrome (AIDS) or AIDS Related
Complexes (ARC)

SUBPART C: MISCELLANEOUS PROGRAM PROVISIONS

118.300 Incorporation By Reference

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1981 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Emergency rule adopted at 12 Ill. Reg. 3037, effective January 15, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 6301, effective March 18, 1988; amended at 12 Ill. Reg. 8068, effective April 26, 1988; amended at 13 Ill. Reg. 3950, effective March 10, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: MISCELLANEOUS PROGRAM PROVISIONS

Section 118.300 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 118.300 Incorporation By Reference (cont'd.)
the date specified, and do not include any later amendments or editions.
(Source: Amended at 13 Ill. Reg. 3950, effective March 10, 1989)

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NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: SUPPORT RESPONSIBILITY OF RELATIVES
- 2) Code Citation: 89 Ill. Adm. Code 103
- 3) Section Number: Adopted Action:
103.1 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-13) and Section 6.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1006.02).
- 5) Effective Date of Amendment: March 10, 1989
- 6) Does this rulemaking contain an automatic repeal date?
Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
December 16, 1988 (12 Ill. Reg. 20757)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: No changes were made to the rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This new Section explains how incorporation by reference applies to 89 Ill. Adm. Code 103. Under this rule, rules and regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference are incorporated as of the date specified, and later amendments or editions are not included.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel
Address: 100 South Grand Avenue East, 3rd Floor
Springfield, IL 62762
Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 103

SUPPORT RESPONSIBILITY OF RELATIVES

Section

- 103.1 Incorporation By Reference
- 103.10 Support From Responsible Relatives
- 103.20 Determination Of Ability To Support
- 103.30 Redetermination Of Ability To Support
- 103.40 Failure or Refusal to Provide Information Regarding Ability to Support
- 103.50 Modification or Release From Support Order
- 103. Table A Standard For Determining Responsible Relative Liability

AUTHORITY: Implementing and authorized by Article X of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 10-1 et seq.).

SOURCE: Filed and effective December 30, 1977; amended at 3 Ill. Reg. 41, p. 171, effective October 1, 1979; amended at 6 Ill. Reg. 7441, effective June 16, 1982; codified at 7 Ill. Reg. 6493; amended at 10 Ill. Reg. 21898, effective December 12, 1986; amended at 11 Ill. Reg. 6493, effective December 27, 1987; amended at 12 Ill. Reg. 14681, effective August 31, 1988; amended at 13 Ill. Reg. 2496, effective February 14, 1989; amended at 13 Ill. Reg. 3954, effective March 10, 1989.

Section 103.1 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Added at 13 Ill. Reg. 3954, effective March 10, 1989)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Carriage by Public Highway
- 2) Code Citation: 92 Ill. Adm. Code 177
- 3) Section Numbers: 177.2000
Adopted Action:
Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2
pars. 700-4(a) and 700-9(a)
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
Yes. These conform to Section 6.02(a) of the Illinois
Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 13, 1989
- 9) Notice of proposal published in Illinois Register:
December 2, 1988, 12 Ill. Reg. 20027
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In question #16 of this Notice, the title for Tom Crawford
has been changed to, "Chief, Regulations and Training Unit",
due to reorganization of the Section by the Department.
In question #16 of this Notice, the first letter of the
words "Highway Route Controlled Quantities" have been
capitalized in the last sentence under the heading "Docket
HM-164B" and they are now consistent with this phrase used
elsewhere in this Part.
- 12) Have all the changes agreed upon by the agency and JCAR
been made as indicated in the agreement letter issued to
JCAR? No agreements were necessary.
- 13) Will this rule replace an Emergency Rule currently in
effect? No

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rules:

By this Notice of Adopted Amendment, the Department deletes the date of incorporation by reference of 49 CFR 177 as of November 1, 1987 and inserts in its place the date of November 1, 1988.

A review of the federal regulations adopted since November 1, 1987, to the date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does make limited changes in the Department's regulations to bring Part 177 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this adopted rulemaking.

By adopting this rulemaking, the Department's regulations will incorporate changes made to Part 177 by US DOT in rulemaking Dockets:

HM-164A [53 FR 16990 (May 12, 1988)]
HM-164B [53 FR 16991 (May 12, 1988)]
HM-198 [53 FR 17158 (May 13, 1988)]

Docket HM-164A amended the regulations to provide the state designations of alternative routes for the transportation of highway route controlled quantity shipments of radioactive materials become effective only upon notice to Research and Special Programs Administration of such designations. For Part 177, Section 177.825(b)(1) was revised to require that no state routing agency designation of an alternative preferred route would be effective until the state's written notice of the designated route is received and acknowledged by Research and Special Programs Administrations Dockets Unit.

Docket HM-164B amended the regulations to require carriers rather than shippers to give written notice to Research and Special Programs Administration of route plans for the transportation by Highway of Highway Route Controlled Quantities of radioactive materials. For Part 177, Section 177.825(f) was revised to require carriers to notify RSPA of route plans and other information relating to the transportation by highway of Highway Route Controlled Quantities of radioactive materials.

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NOTICE OF ADOPTED AMENDMENTS

Docket HM-198 amended the regulations to incorporate changes made to regulate molten sulfur as an ORM-C material. For Part 177, Section 177.817 revised the language for shipping paper requirements to coincide with changes made in Section 172.200(b).

16) Information and questions regarding these adopted rules shall be directed to:

Tom Crawford, Chief
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-1181

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 177

CARRIAGE BY PUBLIC HIGHWAY

Section

177.1000 General

177.2000 Incorporation By Reference of 49 CFR 177

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 4 Ill. Reg. 30, p. 1244, effective July 10, 1980; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; codified at 8 Ill. Reg. 18930; Part repealed, new Part adopted at 10 Ill. Reg. 5853, effective April 1, 1986; amended at 10 Ill. Reg. 20749, effective December 1, 1986; amended at 11 Ill. Reg. 4768, effective March 10, 1987; amended at 11 Ill. Reg. 17881, effective October 20, 1987; amended at 12 Ill. Reg. 8074, effective April 26, 1988; amended at 13 Ill. Reg. 3957, effective March 14, 1989.

Section 177.2000 Incorporation by Reference of 49 CFR 177

- a) As Part 177 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 177 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on November 1, 1987, subject only to the exceptions in paragraph (b) of this Section. No later amendments to or editions of 49 CFR 177 are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 177 shall apply for purposes of this Part 177 of the Illinois Hazardous Materials Transportation Regulations.
- 1) All references to "this part" in the incorporated federal regulations shall mean Part 177 of the Illinois Hazardous Materials Transportation Regulations.

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- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean Subchapter c of Chapter I of Title 92 of the Illinois Administrative Code.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- 4) All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those Parts or sections in the federal hazardous materials transportation regulations.
- 5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.
- 6) All references to motor vehicles engaged in interstate commerce shall be deemed to include any motor vehicle engaged in commerce within the State of Illinois.
- 7) Section 177.804 in 49 CFR is deleted and not incorporated.

(Source: Amended at 13 Ill. Reg. 3957, effective March 14, 1989.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Disadvantaged, Minority and Woman-Owned Businesses
- 2) Code Citation: 92 Ill. Adm. Code 10
- 3) Section Numbers:

10.30	Amendment	<u>Adopted Action:</u>
10.40	Amendment	
10.50	Amendment	
10.60	Amendment	
10.70	Amendment	
10.80	Amendment	
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 121, pars. 3-101, 3-103, and 4-201.1; and Ill. Rev. Stat. 1987, ch. 127, par. 132.5
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 8, 1989
- 9) Notice of proposal published in Illinois Register:

November 18, 1988	, 12	Ill. Reg.	19365
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- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

In Section 10.60(k)(1), and throughout this Part, "one hundred-eighty days" has been changed to, "one hundred and eighty days."

In Section 10.80(a), line 9-10, the commas before and after the U.S.C. citation have been deleted and the citation has been enclosed in parentheses.

The phrase, "field examinations" has been dashed through in the first line of Section 10.70(a) due to a typographical error in the text of the proposed amendments.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The Department corrected the main source note.

The Department changed the complete description of subjects and issued involved to clarify that all firms which are denied certification eligibility will have 180 days in which to reapply and correct deficiencies. The sentence has been changed as follows:

Upon adoption of this rule, firms which are denied certification will have one hundred and eighty calendar days in which to reapply and correct deficiencies detailed in the Notice of Denial.

This correction is found in question #15 below.

The Department added the following sentence to the end of Section 10.40(e)(4):

In order to demonstrate the above described elements, an applicant without past experience may offer such evidence as: prior ownership of a business, prior work experience in the work categories sought, or prior work experience in related work categories.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

By this rulemaking, the Department increases the length of time a firm must remain out of the DBE program before reapplying for certification eligibility. The Department has determined that the original ninety day time limit, imposed by the Department to provide firms with an opportunity to correct deficiencies not in compliance with the eligibility standards, is insufficient time for the firm to make significant changes which would render the firm eligible for certification. Upon adoption of this rule, firms which are denied certification will have one hundred and eighty calendar days in which to reapply and correct deficiencies detailed in the Notice of Denial.

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There may be a negative economic effect on firms regulated by the rule, however, the approximate economic impact is unknown. During the 180-day period of ineligibility (currently 90 days), a firm may still participate as a subcontractor on IDOT projects, but any services performed cannot be applied toward attainment of the DBE contract goal. The amount of work a firm might lose as a result of not having DBE certification is impossible to determine due to the variables that exist in the industry.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. S. Rowan Woolfolk, Bureau Chief
Bureau of Small Business Enterprises
Department of Transportation
Office of Finance and Administration
2300 South Dirksen Parkway, Rm. 338
Springfield, Illinois 62764
(217) 785-5947

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER a: GENERALPART 10
DISADVANTAGED, MINORITY AND WOMAN-OWNED BUSINESSES

Section	Purpose
10.10	Incorporation By Reference of Federal Regulations
10.20	Definitions
10.30	Eligibility Standards
10.40	Certification
10.50	Recertification
10.60	Decertification
10.70	Challenge
10.80	

AUTHORITY: Implementing and authorized by Section 5 of the Illinois Purchasing Act (Ill. Rev. Stat. 1987, ch. 127, par. 132.5) and by Sections 3-101, 3-103, and 4-201.1 of the Illinois Highway Code (Ill. Rev. Stat. 1987, ch. 121, pars. 3-101, 3-103 and 4-201.1).

SOURCE: Adopted at 11 Ill. Reg. 13645, effective August 3, 1987; amended at 12 Ill. Reg. 9717, effective May 24, 1988; amended at 13 Ill. Reg. 3962, effective March 14, 1989.

Section 10.30 Definitions

As used in this Part:

"Applicant" means a concern that submits an application for certification or recertification as a DBE, MBE or WBE.

"Bureau" means the Bureau of Small Business Enterprises of the Illinois Department of Transportation.

"Bureau Chief" means the Department's Bureau Chief of the Bureau of Small Business Enterprises or his designee.

"Certification Analyst" means an employee of the Illinois Department of Transportation whose duties include an in-depth examination of certification applications for disadvantaged, minority and woman-owned businesses.

"Certification Manager" means the Manager of the Certification Section of the Bureau of Small Business Enterprises of the Illinois Department of Transportation or his designee.

"Certification Review Committee" means the Illinois Department of

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

Transportation's Committee on Disadvantaged, Minority, and Woman-Owned Business Certification. The Bureau Chief, ex officio, is clerk of the Certification Review Committee. Other members include: the Director of the Office of Finance and Administration or designee, the Director of Highways or designee, the Director of the Office of Planning and Programming or designee, the Director of the Division of Aeronautics or designee, the District Engineer or designee and the Manager, Certification Section, Bureau of Small Business Enterprises.

"Concern" means any business entity organized for profit and includes an individual sole proprietor, partnership without limited partners, corporation or professional association.

"Contract" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Contractor" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Department" means the Illinois Department of Transportation.

"Disadvantaged business" or "DBE" shall have the meaning defined in 49 CFR 23.62 which is incorporated by reference at Section 10.20.

~~"Field examination" means the observation of the applicant in its normal surroundings by such means as visual observation, the posing of verbal questions, and an ascertainment of the general pattern of operations of the concern.~~

"Joint venture" shall have the meaning defined in 49 CFR 23.5 and 49 CFR 23, Schedule B which are incorporated by reference at Section 10.20.

"Management Committee" means the Bureau Chief, the Certification Manager, the Manager of the Policy and Support Services Section and the Manager of the Labor/EOE & DBE/MBE Contract Compliance Section of the Bureau of Small Business Enterprises of the Illinois Department of Transportation.

"Minority" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Minority business enterprise" or "WBE" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

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"On-site visit" means the observation of the applicant in its normal surroundings by such means as visual observation, the posing of verbal questions, and an ascertainment of the general pattern of operations of the concern.

"Program" means a Disadvantaged, Minority and Woman-Owned Business Enterprise Program adopted pursuant to 49 CFR 23.41 which is incorporated by reference at Section 10.20.

"Secretary" means the Secretary of the Illinois Department of Transportation or his designee.

"Small business concern" shall have the meaning defined in 49 CFR 23.62 which is incorporated by reference at Section 10.20.

"Socially and economically disadvantaged individuals" shall have the meaning defined in 49 CFR 23.62 and 49 CFR 23, Subpart D, Appendix C which are incorporated by reference at Section 10.20.

"USDOT departmental element" shall have the meaning defined as "departmental element" in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Woman-owned business" or "WBE" means a small business concern which is at least 51 per centum owned by one or more women or, in the case of a publicly owned business, at least 51 per centum of the stock of which is owned by one or more women, and whose management and daily business operations are controlled by one or more of the women owners.

(Source: Amended at 13 Ill. Reg. 3962, effective Mar. 14, 1989)

Section 10.40 Eligibility Standards

- a) Only concerns and joint ventures certified by the Department as disadvantaged, minority or woman-owned are eligible to be counted toward the applicable disadvantaged, minority or woman-owned business goals established in contracts let by the Department. To ensure that this Part benefits only qualified applicants, the eligibility standards shall be used by the Department to determine whether an applicant is owned and controlled by one or more minorities in the case of an MBE, women in the case of a WBE, or socially and economically disadvantaged individuals in the case of a DBE. The determination of eligibility for certification or recertification shall be governed by the eligibility standards. An applicant for certification or recertification shall prove that it satisfies the eligibility

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standards. For example, an individual applying for certification is required to submit documentation verifying ethnicity, including but not limited to, a birth certificate, tribal certificate, Bureau of Indian Affairs card, and Armed Services Discharge Papers. An applicant for certification in accordance with either Section 10.50(h)(1), 10.60(k)(1) or 10.70(f)(1), in addition to proving that it satisfies all eligibility standards, shall prove that it has corrected all deficiencies listed in the Notice of Denial or Decertification. These standards of eligibility must be met before an applicant can be certified. If a firm fails to meet one of the eligibility standards, no further consideration need be given to the application, and the certification shall be denied.

- 1) An applicant shall be certified or recertified as a DBE, in accordance with the procedures set forth in Sections 10.50 and 10.60, if the applicant meets the definition of a DBE as determined by the eligibility standards.

- 2) An applicant shall be certified or recertified as an MBE, in accordance with the procedures set forth in Sections 10.50 and 10.60, if the applicant meets the definition of an MBE as determined by the eligibility standards.

- 3) An applicant shall be certified or recertified as a WBE, in accordance with the procedures set forth in Section 10.50 and 10.60, if the applicant meets the definition of a WBE as determined by the eligibility standards.

- b) ~~The Department adopts by reference the~~ An applicant shall meet all eligibility standards set forth in 49 CFR 23.53(a)(1) through (a)(6) inclusive and 49 CFR 23.53(c) and (d) which are incorporated by reference at Section 10.20.

- c) An applicant whose principal place of business is located in a state other than Illinois shall be certified by that state in accordance with its program prior to certification by the Department.

- d) An applicant shall possess all necessary, valid licenses, operating authority or certification of authority to do business in this state prior to certification by the Department.

- e) In accordance with the standards set forth in 49 CFR 23.53(a)(2), the Department shall give consideration to the following circumstances in determining eligibility in this Part:

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- 1) Applicants which are newly formed or whose ownership or control has changed within two years prior to the application for certification shall be examined to determine if the firm meets the criteria for an independent business and that the ownership is not merely *pro forma*.
- 2) A previous or continuing employer-employee relationship between or among present owners of an applicant shall be examined to ensure that the eligible owner has the management responsibility, control and capability provided for in the eligibility standards.
- 3) Any relationship between an applicant and a business, concern, firm or individual which is not eligible for certification shall be examined to determine if the relationship conflicts with the ownership and control requirements of the eligibility standards. Such relationships include but are not limited to the following:
 - A) shared employees;
 - B) shared or leased equipment;
 - C) shared or leased office space;
 - D) shared or leased storage space or equipment storage yards;
 - E) financial investment, loans or assistance;
 - F) interlocking management; and
 - G) management or technical services.
- 4) Applicants which are not operational shall not be eligible for certification pursuant to this Part. In order to be considered operational, a concern shall be established in business and shall demonstrate the actual performance, control, management and supervision of work in the categories of work for which certification is sought or the ability and the expertise to perform, control, manage and supervise the work in the categories of work for which certification is sought. In order to demonstrate the above described elements, an applicant without past experience may offer such evidence as: prior ownership of a business, prior work experience in the work categories sought, or prior work experience in related work categories.

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(Source: Amended at 13 Ill. Reg. 3962, effective Mar. 14, 1989)
 Section 10.50 Certification

- a) Any applicant which desires certification as a DBE, MBE or WBE under this Part shall file with the Certification Section of the Bureau of Small Business Enterprises a Certification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information, including but not limited to, assumed name certificates, partnership agreements, corporate bylaws and signed loan agreements, which are required by the Certification Application and 49 CFR 23, Schedule A, incorporated by reference herein. Applicants which desire certification as a joint venture under this Part shall file with the Certification Section of the Bureau, in addition to the Certification Application, the Joint Venture Certification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information, including but not limited to, capital contribution schedules, profit/loss allocation between the ventures, work resumes and separate individual capital accounts, which are required by the Joint Venture Certification Application and 49 CFR 23, Schedule B, incorporated by reference herein. The applications may be obtained from the Bureau. All portions of the appropriate applications shall be completed, and all required attachments must be submitted before a determination of eligibility will be made.
- b) The Certification Section shall date and time-stamp the application when received and assign it to a Certification Analyst for examination and review. The Certification Analyst will ensure that all portions of the application have been completed or marked not applicable and that all required attachments have been submitted. The applicant will be requested to supply missing information or attachments.
- c) When the Certification Analyst verifies that the application is complete, a desk audit will be conducted on the eligibility of the applicant.
 - 1) The applicant may be requested to supply additional information or documentation to verify the contents of the application or to aid in the eligibility determination. Examples of such information and documentation include but are not limited to the following:
 - A) evidence of equity contribution, such as personal

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bank account statement, loan documents and/or copy of equity contribution check,

- B) evidence of required license/authority to transact business in the State of Illinois,
- C) bank signature card,
- D) bank resolution,
- E) income tax records, and
- F) evidence of stock transfer(s).

- 2) The applicant shall supply additional information or documentation which is requested by the Certification Analyst in order to make an eligibility determination. An applicant which does not supply such additional information or documentation shall not be certified.

- d) The Certification Analyst shall arrange for a field examination of the applicant when questions remain unanswered after the certification desk audit and cannot be resolved by written correspondence or telephone contact an on-site visit to the offices of the applicant and to any job sites on which the applicant is working at the time of the audit. The Certification Analyst shall further arrange for the personal interview of the principal owners of the applicant.

- e) Upon completion of the desk audit and any field examination, the Certification Analyst shall draft an audit determination. The audit determination shall set forth the findings and conclusions of the desk audit and any field examination and shall make a recommendation either to certify or not certify the applicant. The Certification Analyst shall be governed by the standards for eligibility set forth in Section 10.40 of this Part.

- f) The Management Committee shall render a decision regarding certification of the applicant based upon the audit determination and the record assembled by the Certification Analyst, but the Management Committee shall not be required to follow the Certification Analyst's recommendation. Applicants shall not be certified unless the Management Committee finds that the audit determination and record establish that the applicant meets the eligibility standards set forth in Section 10.40 of this Part. Applicants shall not be denied certification unless the Management Committee finds that the applicant has not met its burden of

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establishing compliance with the eligibility standards. An audit determination upon which a finding cannot be made shall be returned to the Certification Section with a statement of deficiencies.

- g) A letter of approval and certificate shall be mailed by the Certification Manager to applicants granted certification. The Certificate of DBE/MBE/WBE Certification is effective for a period of one year from the date of the approval letter. Joint venture certification is effective for specific contracts only. Certificates shall remain the property of the Department.
- h) A Notice of Denial, which contains a statement of the reasons why the applicant has not been certified and the provision(s) of the eligibility standards which support the denial, shall be mailed by the Certification Manager to applicants denied certification. Service shall be by certified mail, return receipt requested. Except as provided in 49 CFR 23.55, the denial of certification shall be final for all contracts being let at the time of the denial. Applicants denied certification may:

- 1) Correct deficiencies listed in the Notice of Denial and reapply for certification after the passage of ninety one hundred and eighty calendar days from receipt of the Notice of Denial by filing a Certification Application; or
- 2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days from the date of the Department's Notice of Denial.
- i) The Bureau shall maintain a DBE/MBE/WBE Directory of certified concerns. A joint venture certified for a particular contract will not be listed in the Directory.
- j) At any time there is a change in the ownership or control of a certified DBE, MBE or WBE, the certification lapses and the concern shall be deleted from the DBE/MBE/WBE Directory. A certified DBE, MBE or WBE which has changed its ownership or control shall notify the Certification Section of the Bureau without delay and shall surrender its Certificate. The concern which has surrendered its Certificate may file a new Certification Application. Once certified, a concern is eligible to be counted toward the applicable disadvantaged, minority or woman-owned business goals established in contracts let or administered by the Department. Certification does not guarantee any contract or subcontract. As a condition of certification, a concern will be required to assure on all contracts or subcontracts, for which

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the concern will be counted toward a goal, that it will perform a commercially useful function in the work of the contract. The concern is considered to perform a commercially useful function when it is responsible for a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing and supervising the work involved. Failure to perform a commercially useful function is a violation of the eligibility standards.

At any time there is a change in the ownership or control of a certified DBE, MBE or WBE, the certification lapses and the concern shall be deleted from the DBE/MBE/WBE Directory. A certified DBE, MBE or WBE which has changed its ownership or control shall notify the Certification Section of the Bureau without delay and shall surrender its Certificate. The concern which has surrendered its Certificate may file a new Certification Application.

(Source: Amended at 13 Ill. Reg. 3962, effective Mar. 14, 1989.)

Section 10.60 Recertification

- a) Once certified, any concern for which there has been no change in ownership or control and which desires to remain certified as a DBE, MBE or WBE under this Part shall annually file with the Certification Section of the Bureau a Recertification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information required by the application and 49 CFR 23, Schedule A, incorporated by reference herein. The application may be obtained from the Bureau. All portions of the application shall be completed, and all required attachments, including but not limited to, current financial statements, copies of current shareholder meeting minutes and work resumes must be submitted before a determination of eligibility for recertification can be made. Joint ventures shall not be recertified.
- b) The certification of a concern which does not file a Recertification Application prior to the expiration of its period of certification will lapse and the concern will be deleted from the DBE/MBE/WBE Directory. The Department shall allow a five business day period of grace after the expiration during which time a Recertification Application will be accepted. The certification of a DBE, MBE or WBE that has timely filed a Recertification Application shall continue pending the consideration of the renewal.
- c) The Certification Section shall date and time-stamp the applica-

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tion when received and assign it to a Certification Analyst for examination and review. The Certification Analyst will ensure that all portions of the application have been completed or marked not applicable and that all required attachments have been submitted. The applicant will be requested to supply missing information or attachments.

d) When the Certification Analyst verifies that the Recertification Application is complete, a desk audit will be conducted on the eligibility of the applicant.

1) The applicant may be requested to supply additional information or documentation (see Section 10.50(c)(1)) to verify the contents of the application or to aid in the eligibility determination.

2) The applicant shall supply additional information or documentation which is requested by the Certification Analyst in order to make an eligibility determination. An applicant which does not supply such additional information or documentation shall not be recertified.

e) The Certification Analyst shall arrange for a field examination of an on-site visit to the applicant when questions remain unanswered after the certification-desk audit and cannot be resolved by written correspondence or telephone contact.

f) Upon completion of the desk audit and any field examination, the Certification Analyst shall draft an audit determination. The audit determination shall set forth the findings and conclusions of the desk audit and any field examination and shall make a recommendation either to recertify or not recertify the applicant. The Certification Analyst shall be governed by the standards for eligibility set forth in Section 10.40 of this Part.

g) The Management Committee shall render a decision regarding recertification of the applicant based upon the audit determination and the record assembled by the Certification Analyst, but the Management Committee shall not be required to follow the Certification Analyst's recommendation. Applicants shall not be recertified unless the Management Committee finds that the audit determination and record establish that the applicant meets the eligibility standards of Section 10.40 or that no changes have occurred since the applicant's last certification or recertification. Applicants shall not be denied recertification unless the Management Committee finds that the applicant has not met its burden of establishing compliance with the eligibility standards.

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An audit determination upon which a finding cannot be made shall be returned to the Certification Section with a statement of deficiencies.

- h) A letter of approval and certificate shall be mailed by the Certification Manager to applicants granted recertification. DBE/MBE/MBE recertification is effective one year from the date of the approval letter. Certificates shall remain the property of the Department.

- i) A Notice of Denial, which contains a statement of the reasons why the applicant has not been recertified and the provision(s) of the eligibility standards which support the denial, shall be mailed by the Certification Manager to applicants denied recertification. Service shall be by certified mail, return receipt requested. The denial of recertification shall be final for all contracts being let at the time of the denial unless the applicant files a Request for Review by the Certification Review Committee.

- j) An applicant denied recertification may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the Notice of Denial. The Request for Review shall be filed with the Bureau Chief. If the applicant does not file a Request for Review within twenty business days of receipt of the Notice of Denial, then the applicant shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the Notice of Denial pending determination of the review.

- 1) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of the eligibility standards and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager within ten business days of receipt of the Request and shall be restricted to the same requirements as to length and format.

- 2) The decision of the Certification Review Committee shall be made on the record of the application including all submissions, the audit determination and the Notice of Denial. No new or additional documentation or information shall be considered by the Certification Review Committee without a showing by the party presenting such documentation or information that it was not available or, through due

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diligence, could not have been made available. When there is insufficient information to render a decision and/or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen calendar days notice to the applicant and the Certification Manager, may schedule a meeting at a time and date convenient to all parties, at which time both parties may make oral presentations addressing the issues in the Request for Review.

- 3) If the Certification Review Committee does not agree with the audit recommendation to deny recertification and believes the eligibility standards contained in 49 CFR 23 have been met, the recommendation for denial of recertification will be reversed. The file shall be returned to the Certification Manager with directions to recertify the applicant in accordance with Section 10.60(h).

- 4) If the Certification Review Committee affirms the denial of recertification, then the decision of the Certification Review Committee affirming the Notice of Denial shall be mailed to the applicant within ten business days. Service shall be by certified mail, return receipt requested.

- k) Except as provided in 49 CFR 23.55, the denial of recertification shall be final for all contracts being let at the time of the denial. Applicants denied recertification may do either one of the following:

- 1) Correct deficiencies listed in the Notice of Denial and reapply for certification after the passage of ninety one hundred and eighty calendar days from the date of the Certification Review Committee decision by filing a Certification Application; or
- 2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days from the date of the Certification Review Committee decision.

- 1) At any time there is a change in the ownership or control of a certified DBE, MBE or WBE, the certification lapses and the applicant shall be deleted from the DBE/MBE/MBE Directory. A certified DBE, MBE or WBE which has changed its ownership or control shall notify the Certification Section of the Bureau without delay and shall surrender its Certificate. The concern which has surrendered its certificate may file a new Certification Application.

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(Source: Amended at 13 Ill. Reg. 3962, effective March 14, 1989)

Section 10.70 Decertification

a) If, as a result of random monitoring, field-examinations on-site reviews, complaints and/or contact with Department personnel, the Certification Manager obtains any information evidencing that:

- 1) Aa certified DBE, MBE, WBE or joint venture does not meet the eligibility standards;
- 2) Aa false statement was made in a Certification Application or Recertification Application;
- 3) Aa certified DBE, MBE, WBE or joint venture's size, organization, ownership or control has changed, resulting in a violation of the eligibility standards;
- 4) Aa certified DBE, MBE, WBE or joint venture has gone out of business; or
- 5) The certified DBE, MBE, WBE or joint venture is engaging in any activity prohibited by this Part or by 49 CFR 23 including but not limited to the failure to perform a commercially useful function on any contract or subcontract;

the Certification Manager shall begin the decertification process.

- b) Any certified DBE, MBE, WBE or joint venture which the Certification Manager proposes to decertify, pursuant to this Part, shall be examined in the same manner as an applicant for certification in accordance with the standards set forth in Section 10.50 of this Part. The Certification Manager shall notify the certified concern of his/her intention to examine the certification and the reasons therefor.
- c) The concern so notified shall supply all requested information to the Certification Section. Any concern which does not supply such additional information or documentation as requested shall be decertified.
- d) Following the examination of the concern, the Certification Analyst shall draft an audit determination. The audit determination shall set forth findings and conclusions of the desk audit and any field examination and shall make a recommendation as to

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whether or not to decertify. The Management Committee shall render a decision based upon the audit determination and the supporting record, but the Management Committee shall not be required to follow the Certification Analyst's recommendation. The DBE, MBE or WBE shall not be decertified unless the Management Committee finds that the audit determination and the supporting record establish that the concern does not meet the eligibility standards set forth in Section 10.40 of this Part, and that cause for decertification exists.

- 1) If the recommendation is not to decertify, then the DBE, MBE, or WBE shall be notified that based upon the information obtained through the investigation, it will not be decertified.
- 2) If the decision is to decertify, then a Notice of Decertification shall be sent to the DBE, MBE or WBE by certified mail, return receipt requested. The Notice shall include:
 - A) Aa statement of the reasons for decertification;
 - B) The provisions of 49 CFR 23 and this Part which support decertification; and,
 - C) Aa statement that the Notice of Decertification is final unless a review is requested.

e) A DBE, MBE or WBE who receives a Notice of Decertification may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the Notice of Decertification. The Request for Review shall be filed with the Bureau Chief. If the DBE, MBE or WBE does not file a Request for Review within twenty business days of receipt of the Notice of Decertification, then the DBE, MBE or WBE shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the Notice of Decertification pending determination of the review.

- 1) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of the standards listed under Section 10.70(a) and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager within ten business days of receipt

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of the Request and shall be restricted to the same requirements as to length and format.

- 2) The decision of the Certification Review Committee shall be made on the record of the application including all submissions, the audit determination and the Notice of Decertification. No new or additional documentation or information shall be considered by the Certification Review Committee without a showing by the party presenting such documentation or information that it was not available or, through due diligence, could not have been made available. When there is insufficient information to render a decision and or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen calendar days notice to the applicant and the Certification Manager, may schedule a meeting at a time and date convenient to all parties, at which time both parties may make oral presentations addressing the issues in the Request for Review.
- 3) If the Certification Review Committee does not agree with the audit recommendation to decertify and believes the eligibility standards contained in 49 CFR 23 have been met, the recommendation for decertification will be reversed. The file shall be returned to the Certification Manager with directions not to decertify the DBE, MBE or WBE in accordance with Section 10.70(d)(1).
- 4) If the Certification Review Committee affirms the decision to decertify, then the decision of the Certification Review Committee affirming the Notice of Decertification shall be mailed to the DBE, MBE or WBE. Service shall be by certified mail, return receipt requested.
- 5) Once the Certification Review Committee has made a final decision to decertify, that determination goes into effect immediately with respect to program participation, and the concern shall be removed from the DBE MBE WBE Directory. Except as provided in 49 CFR 23.55, the decertification by the Certification Review Committee shall be final.
- f) Any concern believing that it has wrongly been decertified as a disadvantaged, minority, woman-owned business or joint venture by the Department may do either one of the following:
 - 1) Correct deficiencies listed in the Notice of Decertification and reapply for certification after the passage of ninety one hundred and eighty calendar days from the

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date of the Certification Review Committee decision by filing a Certification Application; or

- 2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days after the date of the final Certification Review Committee decision.

(Source: Amended at 13 Ill. Reg. 3962, effective March 14, 1989)
Section 10.80 Challenge

- a) Any third party may challenge the socially and economically disadvantaged status of any individual presumed to be socially and economically disadvantaged pursuant to 49 CFR 23.62, provided that the challenged individual is an owner of a concern certified by or seeking certification from the Department as a DBE. Only a signed, written challenge which includes all information available to the challenging party shall be accepted by the Certification Manager. An individual who has a current certification pursuant to Section 8(a) of the Small Business Act (15 U.S.C. 687(a)) may not be challenged. During the pendency of a challenge, the presumption that the challenged party is a socially and economically disadvantaged individual shall remain in effect.
- b) The Certification Manager shall evaluate the information provided by the challenging party to determine whether the challenged party is in fact not socially and economically disadvantaged in accordance with 49 CFR 23.62 and 49 CFR 23, Subpart D, Appendix C.
 - 1) Should the Certification Manager determine the information presented is insufficient to substantiate that the challenged party is not socially and economically disadvantaged, the Certification Manager shall so inform the challenging party in writing. This decision is final and terminates the proceeding.
 - 2) Should the Certification Manager determine the information presented is sufficient to substantiate that the challenged party is not socially and economically disadvantaged, the Certification Manager shall begin a proceeding as herein provided.
 - A) The Certification Manager shall serve the challenged party with a written Notice of Challenge. Service shall be by certified mail, return receipt requested.

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The Notice shall include:

- i) A statement that the status of a socially and economically disadvantaged individual has been challenged;
- ii) Identification of the challenging party;
- iii) A summary of the grounds for the challenge;
- iv) Identification of all information or documents submitted in support of the challenge; and,
- v) A statement that the challenged party shall have fifteen business days after receipt within which to respond to the challenge, providing the Certification Manager with information sufficient to permit evaluation of the socially and economically disadvantaged status of the individual. Failure to provide the requested information within the specified time shall result in decertification or a denial of certification.

B) The Certification Manager shall evaluate the available information in accordance with the socially and economically disadvantaged standards referenced in Section 10.30 of this Part and make a proposed determination of whether the challenged party meets the standard.

C) The Certification Manager shall notify both parties of this proposed determination in writing, setting forth the reasons for the proposal. The Certification Manager shall provide an opportunity to the parties for a meeting at which the parties shall have the opportunity to respond to this proposed determination in writing and in person. If the request for a meeting is not filed within twenty business days of receipt of the proposed determination, the Certification Manager shall make a final determination based on the available information.

D) Upon receipt by the Certification Manager of the written request for a meeting, the Certification Manager shall schedule a meeting within forty-five

days of receipt of the request for a meeting. The meeting shall be informal and no rules of evidence shall apply. There shall be no presentation of witnesses and no cross-examination. The Certification Manager shall give the challenged and challenging parties twenty business days notice of the meeting date.

E) The Certification Manager shall inform the parties in writing of the final determination, setting forth the reasons for the decision.

F) A party which is challenged and found not to be socially and economically disadvantaged under this Section may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the decision of the Certification Manager. The Request for Review shall be filed with the Bureau Chief. If the party does not file a Request for Review within twenty business days of receipt of the decision of the Certification Manager, then the party shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the notification that the challenged party is not socially and economically disadvantaged pending determination of the review.

1 i) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of 49 CFR 23.62 and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager within ten business days of receipt of the Request and shall be restricted to the same requirements as to length and format.

2 ii) The decision of the Certification Review Committee shall be made on the record of the challenge. No new or additional documentation or information shall be considered by the Certification Review Committee without a

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showing by the party presenting such documentation or information that it was not available or, through due diligence, could not have been made available. When there is insufficient information to render a decision and or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen calendar days notice to the applicant and the Certification Manager, may schedule a meeting at a time and date convenient to all parties, at which time both parties may make oral presentations addressing the issues in the Request for Review.

3iii) If the Certification Review Committee believes the information reviewed is sufficient to reverse the decision of the Certification Manager, then the file shall be returned to the Certification Manager with directions to allow the party's socially and economically disadvantaged status to stand.

4 iv) If the Certification Review Committee believes the information reviewed is sufficient to affirm the decision that the challenged party is not socially and economically disadvantaged, then the decision of the Certification Review Committee affirming the final determination shall be mailed to the challenged party. Service shall be by certified mail, return receipt requested.

G) Once the Certification Review Committee has made a final decision on a challenge matter, that determination goes into effect immediately with respect to the Department's contracts. Except as provided in 49 CFR 23.55, the decision by the Certification Review Committee shall be final for all contracts being let at the time of the final determination.

H) The party adversely affected by the final determination of the Certification Review Committee may file an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days after the date of the final determination.

(Source: Amended at 13 Ill. Reg. 3962, effective Mar. 14, 1989).

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- 1) Heading of Part: General Information, Regulations, and Definitions
- 2) Code Citation: 92 Ill. Adm. Code 171
- 3) Section Numbers: 171.4 New Section
171.21 New Section
171.1000 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 700-4(a) and 700-9(a)
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes
These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 13, 1989
- 9) Notice of proposal published in Illinois Register:
December 2, 1988, 12 Ill. Reg. 20032
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

In question #3 of the Notice of Adopted Amendments, the phrase "Add Section" has been changed to "New Section" for Sections 171.4 and 171.21.

In Section 171.4(a) and (b), the first letter in the word "part" has been capitalized.

In Section 171.4(a) the Department spelled out US DOT as follows: "United States Department of Transportation (US DOT)."

In line 3 of Section 171.21(a), the word "subparagraph" has been changed to "subsection" and the phrase "these regulations" in line 4 has been changed to "this Part."

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In Section 171.21(b)(3), the four third level subsections were changed and are now labelled correctly.

In Section 171.21(b)(3)(D), the word "Section" has been changed to "92 Ill. Adm. Code 173.306." The phrase "of the regulations" has been deleted.

In Sections 171.4 and 171.21, Section source notes have been inserted at the end of each Section.

In Section 171.1000(a), a comma has been inserted following the word "Regulations" in line 2 and the word "paragraph" in line 6 has been changed to the word "subsection."

In Section 171.1000(a), the unlabeled paragraph following the list of sections has been moved to the end of the first paragraph in this subsection and the colon preceding this paragraph has been changed to a period.

In question #16 of this Notice, the title for Tom Crawford has been changed to, "Chief, Regulations and Training Unit", due to reorganization of the Section by the Department.

The Department added "(49 CFR 107)" after "United States Department of Transportation" and "(92 Ill. Adm. Code 107)" after "Department" in Section 171.4(a).

The Department added "(49 CFR 171.8)" after "packages" and "(49 CFR 173.24 (1988), no further amendments or editions included) after "leakage" in Section 171.21(a)(1).

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes

- 13) Will this rule replace an Emergency Rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and purpose of Amendment:

The Department has added two sections to Part 171. Section 171.4 establishes criteria for the transportation of hazardous materials to which an exemption, issued by US DOT or the Department, applies. Section 171.21 provides relief from the regulations for small packagings of hazardous

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materials when transportation only involves retail quantities and is limited in total quantity and distance of travel.

The regulatory language contained in Section 171.4 is necessary in that the regulations do not establish a requirement for compliance with the provision of exemptions issued by US DOT or the Department. Since an exemption establishes unique requirements for the transportation of the hazardous material(s) to which the exemption applies, language to require compliance with its terms and provisions is appropriate. Violation of the terms of the exemptions could result in the unsafe transportation of hazardous materials and the addition of this language would clearly identify the need for adherence to established conditions.

The language of Section 171.21 will provide regulatory relief for small businesses engaged in the distribution of products in less than case lots. This exception to the regulations does not jeopardize the safe transportation of hazardous materials but does remove some of the requirements that are not necessary in the transportation of small packages in an environment limited by quantity and distance.

By this Notice of Adopted Amendment, the Department also deletes the date of incorporation by reference of certain sections of 49 CFR 171 as of November 1, 1987 and inserts in its place the date of November 1, 1988.

A review of the federal regulations adopted since November 1, 1987, to the date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making limited substantive changes in the Department's regulations to bring Part 171 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this adopted rulemaking.

By adopting this rulemaking, the Department's regulations will incorporate changes made to Part 171 by US DOT in rulemaking Dockets:

HM-164A [53 FR 16990 (May 12, 1988)]
HM-189F [53 FR 38272 (September 29, 1988)]
HM-190 [53 FR 36548 (September 20, 1988)]

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Docket HM-164A amended the regulations to clarify the methods authorized for the designation of alternative routes to be used for the transportation of highway route controlled quantity shipments of radioactive materials. For Part 171, Section 171.8 revised the definition for "State designated route."

Docket HM-189F amended the regulations to incorporate various editorial corrections and clarifications and made minor regulatory changes which does not impose any new requirements on persons subject to the regulations. For Part 171, Section 171.7(c)(7) revised the address for American Petroleum Institute. Section 171.7(c)(14) revised the address for the Institute of Makers of Explosives.

Docket HM-190 amended the regulations by revising the requirements for the fabrication, modification, maintenance, and use of DOT 21 PF-1 overpacks. For Part 171, Section 171.7(c)(16) added an address for those individuals who wish to obtain a copy of the design changes. Section 171.7(d)(16) updated the reference for CAPE-1662 to "CAPE-1662 Revision 1, and Supplement 1" to identify the drawings which describe modifications made to DOT overpacks.

16) Information and questions regarding these adopted rules shall be directed to:

Tom Crawford, Chief
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-1181

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 171

GENERAL INFORMATION, REGULATIONS AND DEFINITIONS

Section

171.1 Purpose and Scope

171.2 General Transportation Requirements

171.3 Hazardous Waste

171.4 Exemptions

171.6 Agricultural Exception

171.7 Matter Incorporated by Reference (Repealed)

171.8 Definitions and Abbreviations (Repealed)

171.9 Rules of Construction (Repealed)

171.12 Import and Export Shipments (Repealed)

171.14 Specification Markings (Repealed)

171.15 Notification and Reporting of Hazardous Materials Incidents

171.17 Hazardous Substance Discharge Notification

171.18 Continuation of Effectiveness of Existing Bureau of Explosives Registrations (Repealed)

171.19 Approvals or Authorizations Issued by the Bureau of Explosives (Repealed)

171.21 Retailer Exception

171.1000 Incorporation by Reference of 49 CFR 171

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. 41, effective February 1, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; codified at 8 Ill. Reg. 17984; amended at 10 Ill. Reg. 9636, effective May 15, 1986; amended at 10 Ill. Reg. 20753, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1684, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4772, effective March 10, 1987; amended at 11 Ill. Reg. 7767, effective April 14, 1987; amended at 11 Ill. Reg. 17886, effective October 20, 1987; amended at 12 Ill. Reg. 8078, effective April 26, 1988; amended at 13 Ill. Reg. 3984, effective March 14, 1989.

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Section 171.4 Exemptions

- a) No person may offer or accept a hazardous material for transportation, in commerce, if that hazardous material is subject to the provisions of an exemption issued by United States Department of Transportation (US DOT) (49 CFR 107) or an exemption issued by the Department (92 Ill. Adm. Code 107) unless the material is offered and accepted in accordance with the terms and conditions of the exemption(s) or this Part.
- b) No person may transport a hazardous material in commerce, if that hazardous material is subject to the provisions of an exemption issued by US DOT or an exemption issued by the Department unless the material is transported in accordance with the terms and conditions of the exemption(s) or this Part.

- c) Exemptions from the regulations governing packages or containers of hazardous materials are subject to the following conditions:

- 1) The outside of each package must be plainly and durably marked "DOT E" or "IDOT E" followed by the number assigned;
- 2) Each shipping paper issued in connection with a shipment made under an exemption must, in association with the entries required by 49 CFR 172.203, bear the notation "DOT E" or "IDOT E" followed by the number assigned; and
- 3) When an exemption issued to a shipper contains special carrier requirements, the shipper shall furnish a copy of the exemption to the carrier before or at the time a shipment is tendered.

(Source: Added at 13 Ill. Reg. 3984, effective March 14, 1989.)

Section 171.21 Retailer Exception

- a) Hazardous materials which are transported in less than case-lot quantities or when repackaged comply with the quantity limitations prescribed in subsection (b) are not subject to this Part if all of the following conditions are met:

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- 1) Packagings of hazardous materials are enclosed in strong outside packages (49 CFR 171.8), cushioned, if necessary, to prevent breaking and leakage (49 CFR 173.24 (1988)), no further amendments or editions included;
- 2) Gross weight of less-than-case lots and single unit packagings is not over 100 pounds per vehicle;
- 3) Transportation is by private motor vehicle, in intrastate commerce, between a final distribution point and a retail establishment or between a retail establishment and a final end user; and,
- 4) The distance to be travelled does not exceed 100 miles.

- b) Each packaging of hazardous materials subject to this exception shall not exceed the quantity limits established below:

- 1) For liquids, five gallons.
- 2) For dry materials, twenty-five pounds.
- 3) For compressed gases:
 - A) In containers of not more than four fluid ounces capacity (7.22 cubic inches or less); or
 - B) In metal containers, with pressure not exceeding 180 psig at 130°F, not to exceed 27.7 fluid ounces (50 cubic inches); or
 - C) For freon, authorized cylinders not to exceed 30 pound capacity; or
 - D) Any other packaging authorized as inside packaging by 92 Ill. Adm. Code 173.306.

(Source: Added at 13 Ill. Reg. 3984, effective March 14, 1989.)

Section 171.1000 Incorporation by Reference of 49 CFR 171

- a) As Part 171 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates the following sections of 49 CFR 171 by reference, as

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those sections of the federal hazardous materials transportation regulations were in effect on November 17, 1987 November 1, 1988, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 171 of the federal regulations are incorporated.

- 171.7 Matter incorporated by reference
- 171.8 Definitions and abbreviations
- 171.9 Rules of construction
- 171.11 Use of ICAO Technical Instructions
- 171.12 Import and export shipments
- 171.12a Canadian shipments and packagings
- 171.14 Specification of markings
- 171.18 Continuation of effectiveness of existing Bureau of Explosives
- 171.19 Approvals or authorizations issued by the Bureau of Explosives
- 171.20 Submission of examination reports

b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 171 shall apply for purposes of this Part 171 of the Illinois Hazardous Materials Transportation Regulations.

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 171 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- 4) All references to Part 176 or to sections therein shall be read to refer to that part or sections in the federal regulations.

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- 5) All references to shipments of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.
- 6) All references to "these regulations" refers to the Illinois Hazardous Materials Transportation Regulations, 92 Ill. Adm. Code 102-179 and 397.
- 7) All references to a "settlement agreement", in these regulations, means a written understanding between the Department and the person being charged.
- 8) The following paragraphs to Section 171.7 "Matter incorporated by reference" in 49 CFR are deleted and not incorporated: 171.7(d)(2); 171.7(d)(21).

(Source: Amended at 13 Ill. Reg. 3984, effective March 14, 1989.)

- 1) Heading of Part: Hazardous Materials Table and Hazardous Materials Communications
- 2) Code Citation: 92 Ill. Adm. Code 172
- 3) Section Numbers:
172.2000
Adopted Action:
Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2
pars. 700-4(a) and 700-9(a)
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 13, 1989
- 9) Notice of proposal published in Illinois Register:
December 2, 1988, 12 Ill. Reg. 20040
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

In question #15 of the Notice of Adopted Amendments, the word "not" was inserted after the words "US DOT" in the 2nd paragraph, 3rd line. This word was inadvertently omitted in the Notice of Proposed Amendments.

In subsections 172.2000(b)(1) and 172.2000(b)(2) of the Illinois Administrative Code version of this Part, the word "means" has been changed to "mean".

In question #16 of this Notice, the title for Tom Crawford has been changed to, "Chief, Regulations and Training Unit", due to reorganization of the Section by the Department.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes.

- 13) Will this rule replace an Emergency Rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rules:

By this Notice of Adopted Amendment, the Department deletes the date of incorporation by reference of 49 CFR 172 as of November 1, 1987 and inserts in its place the date of November 1, 1988.

A review of the federal regulations adopted since November 1, 1987, to the date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making limited substantive changes in the Department's regulations to bring Part 172 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this adopted rulemaking.

By adopting this rulemaking, the Department's regulations will incorporate changes made to Part 172 by US DOT in rulemaking Dockets:

HM-189F [53 FR 38272 (September 29, 1988)]
HM-189G [53 FR 37576 (September 27, 1988)]
HM-198 [53 FR 17158 (May 13, 1988)]

Docket HM-189F amended the regulations to incorporate various editorial corrections and clarifications and made minor regulatory changes which does not impose any new requirements on persons subject to the regulations. For Part 172, Section 172.101 added a comma after the word "dry" for several entries; and corrected several inaccurate cross references. Section 172.331(d) corrected the word "of" to read "or". Section 172.402 was removed. Section 172.403 added a new paragraph.

Docket HM-189G amended the regulations by removing Appendix A to Subpart B in Part 172 and adding it to the index following the Table of Contents to Part 172. For Part 172 Appendix A to Subpart B, titled "Identification numbers cross reference to proper shipping names in Sections 172.101 and 172.102" was removed.

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Docket HM-198 amended the regulations to incorporate changes made to regulate molten sulfur as an ORM-C material. For Part 172, Section 172.101 was revised to require molten sulfur to be listed and classified as an ORM-C. Section 172.200(b) was revised to require shipping papers for ORM materials when transported by highway.

- 16) Information and questions regarding these adopted rules shall be directed to:

Tom Crawford, Chief
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-1181

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 172

HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS

Section

172.1000 General
172.2000 Incorporation by reference of 49 CFR 172
172.2215 Permanent Shipping Papers

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 6 Ill. Reg. 4287, 4487 and 4573, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 19601; amended at 8 Ill. Reg. 19622, effective October 1, 1984; emergency amendment at 8 Ill. Reg. 22889, effective November 9, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3810, effective March 11, 1985; Part repealed, new Part adopted at 10 Ill. Reg. 5864, effective April 1, 1986; amended at 10 Ill. Reg. 20759, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1690, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4777, effective March 10, 1987; amended at 11 Ill. Reg. 7773, effective April 14, 1987; amended at 11 Ill. Reg. 17893, effective October 20, 1987; amended at 12 Ill. Reg. 8084, effective April 26, 1988; amended at 13 Ill. Reg. 3993, effective March 14, 1989.

Section 172.2000 Incorporation by Reference of 49 CFR 172

- a) As Part 172 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 172 by reference, as that part of the federal hazardous material transportation regulations was in effect on November-17-1987 November 1, 1988, subject only to the exceptions in paragraph (b) of this Section and Section 172.2215. No later amendments to or editions of 49 CFR 172 are incorporated.

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b) The following interpretations of, additions to and deletions from 49 CFR 172 shall apply for purposes of this Part 172 of the Illinois Hazardous Materials Transportation Regulations.

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 172 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean Subchapter c of Chapter I of Title 92 of the Illinois Administrative Code.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- 4) All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those parts or sections in the federal hazardous material transportation regulations.
- 5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.
- 6) Any changes to 49 CFR 172 made effective by U.S. DOT Rulemaking Docket HM-187 [49 FR 21933 (May 24, 1984)] covering small arms ammunition are not incorporated.

(Source: Amended at 13 Ill. Reg. 3993, effective March 14, 1989)

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- 1) Heading of Part: Shippers General Requirements for Shipments & Packagings
- 2) Code Citation: 92 Ill. Adm. Code 173
- 3) Section Numbers: 173.3000
Adopted Action: Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2 pars. 700-4(a) and 700-9(a)
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 13, 1989
- 9) Notice of proposal published in Illinois Register: December 2, 1988, 12 Ill. Reg. 20055
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In question #15 of the Notice of Adopted Amendments, the word "not" was inserted after the words "US DOT" in the 2nd paragraph, 3rd line. This word was inadvertently omitted in the Notice of Proposed Amendments.
In Section 173.3000(b)(1) of the Illinois Administrative Code version of this Part the word "means" has been changed to "mean".
In question #16 of this Notice, the title for Tom Crawford has been changed to, "Chief, Regulations and Training Unit", due to reorganization of the Section by the Department.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes.

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13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

By this Notice of Adopted Amendments, the Department deletes the date of incorporation by reference of 49 CFR 173 as of November 1, 1987 and inserts in its place the date of November 1, 1988.

A review of the federal regulations adopted since November 1, 1987, to the date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making limited substantive changes in the Department's regulations to bring Part 173 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this adopted rulemaking.

By adopting this rulemaking, the Department's regulations will incorporate changes made to Part 173 by US DOT in rulemaking Dockets:

HM-164B [53 FR 16991 (May 12, 1988)]
HM-189F [53 FR 38272 (September 29, 1988)]
HM-190 [53 FR 36548 (September 20, 1988)]
HM-198 [53 FR 17158 (May 13, 1988)]

Docket HM-164B amended the regulations to require carriers rather than shippers to give written notice to Research and Special Programs Administration of route plans for the transportation by highway or Highway Route Controlled Quantities of radioactive materials. For Part 173, Section 173.22(d) was removed.

Docket HM-189F amended the regulations to incorporate various editorial corrections and clarifications and made minor regulatory changes which does not impose any new requirements on persons subject to the regulations. For Part 173, in the Table of Contents subpart H heading, the term "Radioactive Materials" is removed and replaced with "Irritating Materials". Section 173.386 corrected a typographical error to read "Etiologic". Section 173.3a paragraph (d) was removed. Section 173.10 corrected a

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typographical error to read "cryogenic". Section 173.247(a)(2) removed the second sentence. Section 173.315(a)(1) was corrected to "see paragraph (c) of this section." Section 173.403 paragraph(s) "means" was corrected. Section 173.435 was corrected to read "(ci)".

Docket HM-190 amended the regulations by revising the requirements for the fabrication, modification, maintenance, and use of DOT 21 PF-1 overpacks used to ship fissile uranium hexafluoride. For Part 173, Section 173.417 updated the packaging requirements for fissile materials required by ANSI N14.1. Section 173.420 the term "N14.1-1982" was changed to "N14.1".

Docket HM-198 amended the regulations to incorporate changes to regulate molten sulfur as an ORM-C material. For Part 173, Section 173.1080 revised the packaging and marking requirements for molten sulfur.

16) Information and questions regarding these adopted rules shall be directed to:

Tom Crawford, Chief
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-1181

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 173

SHIPPERS GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

Section

173.2000 General

173.3000 Incorporation by Reference of 49 CFR 173

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 4 Ill. Reg. 30, p. 1244, effective July 10, 1980; amended at 5 Ill. Reg. 1715, effective February 9, 1981; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 6 Ill. Reg. 10036, effective August 2, 1982; amended at 7 Ill. Reg. 3486, effective April 12, 1983; codified at 8 Ill. Reg. 20015; Part repealed, new Part adopted at 10 Ill. Reg. 5885, effective April 1, 1986; amended at 10 Ill. Reg. 20764, effective December 1, 1986; amended at 11 Ill. Reg. 4781, effective March 10, 1987; amended at 11 Ill. Reg. 17898, effective October 20, 1987; amended at 12 Ill. Reg. 8089, effective April 26, 1988; amended at 13 Ill. Reg. ³⁹⁹⁸ effective ~~March 14~~, 1989.

Section 173.3000 Incorporation by Reference of 49 CFR 173

- a) As Part 173 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 173 by reference, as that part of the federal hazardous materials transportation regulations was in effect on November 17-1987 November 1, 1988, subject only to the exceptions in paragraph (b) of this Section. No later amendments to or editions of 49 CFR 173 are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 173 shall apply for purposes of this Part 173 of the Illinois Hazardous Materials Transportation Regulations.

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NOTICE OF ADOPTED AMENDMENT(S)

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 173 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean Subchapter c of Chapter I of Title 92 of the Illinois Administrative Code.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- 4) All references to parts 174, 175 or 176, or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.
- 5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.
- 6) Section 173.5 in 49 CFR is deleted and not incorporated.
- 7) Section 173.24(c)(1)(vi) is added to the Illinois Hazardous Materials Transportation Regulations and reads as follows:

The markings in this section are not required for a surface moisture/density gauge transported as Radioactive Material, Special Form, N.O.S., when accompanied by a shipping paper which contains (or is accompanied by) a signed statement or certification from the manufacturer of the gauge attesting that the gauge construction complies with all package specifications set forth in Sections 173.415 and 173.416, except those that pertain to marking.
- 8) Section 173.119(n) is added to the Illinois Hazardous Materials Transportation Regulations and reads as follows:

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The specifications in this Section do not apply to gasoline being transported in a packaging having a rated capacity of 110 gallons or less if the shipment is in compliance with the rules of the Office of the State Fire Marshal, 41 Ill. Adm. Code 170.15(c). In addition, these shipments are not subject to Subchapter c of these regulations except for those Sections referenced in 41 Ill. Adm. Code 170.15(c).

- 9) Section 173.315(a)(1) Note 17 is deleted from the federal regulations and a new Section 173.315(a)(1) Note 17 is added to the Illinois regulations to read as follows:

Specifications MC 330 and MC 331 cargo tanks, with a design service pressure of 250 p.s.i.g., built in compliance with the Federal ICC or Federal DOT regulations at the time of manufacture, which meet all other design and testing requirements specified by Section 177.824 for cargo tanks in anhydrous ammonia service, and which have been in anhydrous ammonia service in Illinois before February 1, 1979, may continue to be used in such service. No cargo tank that has not been in anhydrous ammonia service in Illinois before February 1, 1979, may be placed in such service in Illinois after that date unless it meets all requirements of the specification, including a minimum design service pressure of 265 p.s.i.g.

- 10) Section 173.315(k) in 49 CFR is deleted and not incorporated.

- 11) Any changes to 49 CFR 173 made effective by U.S. DOT Rulemaking Docket HM-187 [49 FR 21933 (May 24, 1984)] covering small arms ammunition are not incorporated.

(Source: Amended at 13 Ill. Reg. 3998 effective March 14, 1989.)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Shipping Container Specifications
- 2) Code Citation: 92 Ill. Adm. Code 178
- 3) Section Numbers: Adopted Action:
178.2000 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2
pars. 700-4(a) and 700-9(a)
- 5) Effective date of rules: March 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: March 13, 1989
- 9) Notice of proposal published in Illinois Register:
December 2, 1988, 12 Ill. Reg. 20045
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

In Section 178.325 in the Table of Contents, "Section 173.300 of this Chapter" has been changed to, "92 Ill. Adm. Code 173.300".

In Section 178.336.0.6 in the Table of Contents, the numbers "[178.336-6]" have been inserted.

In Section 178.340.0.3 in the Table of Contents, a "bracket" was inserted after the numbers "178.340-3".

In Section 178.340.0.9 in the Table of Contents, a "bracket" was inserted after the numbers "178.340-9".

In the Source Note of the Illinois Administrative Code version of the rule, the word "effective" was added before the date March 10, 1987.

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NOTICE OF ADOPTED AMENDMENTS

In Section 178.2000(b)(4) of the Illinois Administrative Code version of the rule, the word "Part" was changed to the word "Parts".

In question #16 of this Notice, the title for Tom Crawford has been changed to, "Chief, Regulations and Training Unit", due to reorganization of the Section by the Department.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes.

- 13) Will this rule replace an Emergency Rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and purpose of rules:

By this Notice of Adopted Amendment, the Department deletes the date of incorporation by reference of 49 CFR 178 as of November 1, 1987 and inserts in its place the date of November 1, 1988.

A review of the federal regulations adopted since November 1, 1987, to the date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does make limited changes in the Department's regulations to bring Part 178 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this adopted rulemaking.

By adopting this rulemaking, the Department's regulations will incorporate changes made to Part 178 by US DOT in rulemaking Dockets:

HM-189F [53 FR 38272 (September 29, 1988)]
HM-190 [53 FR 36548 (September 20, 1988)]

Docket HM-189F amended the regulations to incorporate various editorial corrections and clarifications and made minor regulatory changes which does not impose any new requirements on persons subject to the regulations. For Part 178, Section 178.44-12 corrected the address for the "Compressed Gas Association, Inc." Section 178.83-3(b) corrected a reference to chrome and nickel alloy. And

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Section 178.118-6 corrected its reference to "Director, OHMT."

Docket HM-190 amended the regulations by revising the requirements for the fabrication, modification, maintenance, and use of DOT 21 PF-1 overpacks. For Part 178, Section 178.121 revised the specification requirements for the construction and marking of 21 PF-1 overpacks.

- 16) Information and questions regarding these adopted rules shall be directed to:

Tom Crawford, Chief
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-1181

The full text of the Adopted Amendments begins on the next page:

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION REGULATIONS
SUBCHAPTER C: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 178
SHIPPING CONTAINER SPECIFICATIONS

Section 178.321	Specification MC 300; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, or Combination of Mild Steel with High Tensile Steel, or Stainless Steel, Primarily For the Transportation of Flammable Liquids or Poisonous Liquids, Class B
178.321.0.1	[178.321-1] General Requirements
178.321.0.2	[178.321-2] Material
178.321.0.3	[178.321-3] Thickness
178.321.0.4	[178.321-4] Joints
178.321.0.5	[178.321-5] Bulkheads, Baffles, and Ring Stiffeners
178.321.0.6	[178.321-6] Closures for Manholes
178.321.0.7	[178.321-7] Overturn Protection
178.321.0.8	[178.321-8] Outlets
178.321.0.9	[178.321-9] Vents, Valves, and Connections
178.321.1.0	[178.321-10] Protection of Fittings
178.321.1.1	[178.321-11] Emergency Discharge Control
178.321.1.2	[178.321-12] Shear Section
178.321.1.3	[178.321-13] Anchoring of Tank
178.321.1.4	[178.321-14] Gauging Devices
178.321.1.5	[178.321-15] Pumps
178.321.1.6	[178.321-16] Testing Requirements
178.321.1.7	[178.321-17] Marking of Cargo Tanks
178.321.1.8	[178.321-18] Certification
178.322	Specification MC 301; Cargo Tanks Constructed of Welded Aluminum Alloy (Grade 3S), To Be Mounted On and To Form Part Of Tank Motor Vehicles for Transportation of Flammable Liquids, and Poisonous Liquids, Class B
178.322.0.1	[178.322-1] General Requirements
178.322.0.3	[178.322-3] Certification
178.322.0.5	[178.322-5] Marking of Cargo Tanks
178.322.0.9	[178.322-9] Testing Requirements
178.322.1.1	[178.322-11] Material
178.322.1.2	[178.322-12] Thickness of Sheets and Ring Stiffeners
178.322.1.3	[178.322-13] Tolerance
178.322.1.4	[178.322-14] Joints
178.322.1.7	[178.322-17] Tank Outlets

178.322.1.8	[178.322-18] Bulkheads, Baffles, and Ring Stiffeners
178.322.1.9	[178.322-19] Tank Vents
178.322.2.0	[178.322-20] Valve and Faucet Connections
178.322.2.1	[178.322-21] Emergency Discharge Control
178.322.2.2	[178.322-22] Shear Section
178.322.2.3	[178.322-23] Protection of Valves and Faucets
178.322.2.4	[178.322-24] Overturn Protection
178.323	Specification MC 302; Cargo Tanks Constructed of Welded Aluminum Alloy (ASTM B209-57T), Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.323.0.1	[178.323-1] General Requirements
178.323.0.2	[178.323-2] Material
178.323.0.3	[178.323-3] Thickness of Metal
178.323.0.4	[178.323-4] Joints
178.323.0.5	[178.323-5] Bulkheads, Baffles, and Ring Stiffeners
178.323.0.6	[178.323-6] Closures for Manholes
178.323.0.7	[178.323-7] Overturn Protection
178.323.0.8	[178.323-8] Tank Outlets
178.323.0.9	[178.323-9] Vents, Valves, and Connections
178.323.1.0	[178.323-10] Protection of Fittings
178.323.1.1	[178.323-11] Emergency Discharge Control
178.323.1.2	[178.323-12] Shear Section
178.323.1.3	[178.323-13] Anchoring of Tank
178.323.1.4	[178.323-14] Gauging Devices
178.323.1.5	[178.323-15] Pumps
178.312.1.6	[178.323-16] Testing Requirements
178.323.1.7	[178.323-17] Marking of Cargo Tanks
178.323.1.8	[178.323-18] Certification
178.324	Specification MC 303; Cargo Tanks Constructed of Welded Ferrous Alloy (High-Tensile Steel), or Stainless Steel, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.324.0.1	[178.324-1] General Requirements
178.324.0.2	[178.324-2] Material
178.324.0.3	[178.324-3] Thickness of Metal
178.324.0.4	[178.324-4] Joints
178.324.0.5	[178.324-5] Bulkheads, Baffles, and Ring Stiffeners
178.324.0.6	[178.324-6] Closures for Manholes
178.324.0.7	[178.324-7] Overturn Protection
178.324.0.8	[178.324-8] Outlets
178.324.0.9	[178.324-9] Vents, Valves, and Connections
178.324.1.0	[178.324-10] Protection of Fittings
178.324.1.1	[178.324-11] Emergency Discharge Control
178.324.1.2	[178.324-12] Shear Section
178.324.1.3	[178.324-13] Anchoring of Tank

DEPARTMENT OF TRANSPORTATION

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178.324.1.4	[178.324-14] Gauging Devices
178.324.1.5	[178.324-15] Pumps
178.324.1.6	[178.324-16] Testing Requirements
178.324.1.7	[178.324-17] Marking of Cargo Tanks
178.324.1.8	[178.324-18] Certification
178.325	Specification MC 304; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, Welded Ferrous Alloy (High-Tensile) Steel, or Aluminum, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B, Having Reid (ASTM D-323) Vapor Pressures of 18 PSIA or More at 100° F., But Less Than Those Stated in 92 Ill. Adm. Code 173.300, In Defining Compressed Gases
178.325.0.1	[178.325-1] General Requirements
178.325.0.2	[178.325-2] Material
178.325.0.3	[178.325-3] Thickness of Metal
178.325.0.4	[178.325-4] Joints
178.325.0.5	[178.325-5] Bulkheads, Baffles, and Ring Stiffeners
178.325.0.6	[178.325-6] Closures for Manholes
178.325.0.7	[178.325-7] Overturn Protection
178.325.0.8	[178.325-8] Tank Outlets
178.325.0.9	[178.325-9] Safety Relief Devices, Valves, and Connections
178.325.1.0	[178.325-10] Protection of Fittings
178.325.1.1	[178.325-11] Emergency Discharge Control
178.325.1.2	[178.325-12] Shear Section
178.325.1.3	[178.325-13] Anchoring of Cargo Tank
178.325.1.4	[178.325-14] Gauging Devices
178.325.1.5	[178.325-15] Pumps
178.325.1.6	[178.325-16] Testing Requirements
178.325.1.7	[178.325-17] Marking of Cargo Tanks
178.325.1.8	[178.325-18] Certification
178.326	Specification MC 305; Cargo Tanks Constructed of Aluminum Alloys for High-Strength Welded Construction, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.326.0.1	[178.326-1] General Requirements
178.326.0.2	[178.326-2] Material
178.326.0.3	[178.326-3] Thickness of Sheets
178.326.0.4	[178.326-4] Joints
178.326.0.5	[178.326-5] Bulkheads, Baffles, and Ring Stiffeners
178.326.0.6	[178.326-6] Closures for Manholes
178.326.0.7	[178.326-7] Overturn Protection
178.326.0.8	[178.326-8] Tank Outlets
178.326.0.9	[178.326-9] Vents, Valves, and Connections
178.326.1.0	[178.326-10] Protection of Fittings

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178.326.1.1	[178.326-11] Emergency Discharge Control
178.326.1.2	[178.326-12] Shear Section
178.326.1.3	[178.326-13] Anchoring of Cargo Tank
178.326.1.4	[178.326-14] Gauging Devices
178.326.1.5	[178.326-15] Pumps
178.326.1.6	[178.326-16] Testing Requirements
178.326.1.7	[178.326-17] Marking of Cargo Tanks
178.326.1.8	[178.326-18] Certification
178.330	Specification MC 310; Cargo Tanks Constructed of Ferrous Materials, Primarily For the Transportation of Corrosive Liquids
178.330.0.1	[178.330-1] General Requirements
178.330.0.2	[178.330-2] Material
178.330.0.3	[178.330-3] Thickness of Metal
178.330.0.4	[178.330-4] Joints
178.330.0.5	[178.330-5] Bulkheads, Baffles, Ring Stiffeners, Tank Supports, and Compartmentation
178.330.0.6	[178.330-6] Closures for Manholes
178.330.0.7	[178.330-7] Overturn Protection
178.330.0.8	[178.330-8] Outlets
178.330.0.9	[178.330-9] Vents, Valves, and Connections
178.330.1.0	[178.330-10] Protection of Fittings
178.330.1.1	[178.330-11] Emergency Discharge Control
178.330.1.2	[178.330-12] Shear Section
178.330.1.3	[178.330-13] Anchoring of Tank
178.330.1.4	[178.330-14] Gauging Devices
178.330.1.5	[178.330-15] Pumps and Compressors
178.330.1.6	[178.330-16] Testing Requirements
178.330.1.7	[178.330-17] Marking of Cargo Tanks
178.330.1.8	[178.330-18] Certification
178.331	Specification MC 311; Cargo Tanks Constructed of Ferrous Metals or Aluminum, Primarily for the Transportation of Corrosive Liquids
178.331.0.1	[178.331-1] General Requirements
178.331.0.2	[178.331-2] Material
178.331.0.3	[178.331-3] Thickness of Metal
178.331.0.4	[178.331-4] Joints
178.331.0.5	[178.331-5] Bulkheads, Baffles, Ring Stiffeners, Tank Supports, and Compartmentation
178.331.0.6	[178.331-6] Closures for Manholes
178.331.0.7	[178.331-7] Overturn Protection
178.331.0.8	[178.331-8] Outlets
178.331.0.9	[178.331-9] Vents, Valves, and Connections
178.331.1.0	[178.331-10] Protection of Fittings
178.331.1.1	[178.331-11] Emergency Discharge Control
178.331.1.2	[178.331-12] Shear Section

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178.331.1.3	[178.331-13]	Anchoring of Tank
178.331.1.4	[178.331-14]	Gauging Devices
178.331.1.5	[178.331-15]	Pumps and Compressors
178.331.1.6	[178.331-16]	Testing Requirements
178.331.1.7	[178.331-17]	Marking of Cargo Tanks
178.331.1.8	[178.331-18]	Certification
178.336	Specification MC 330; Cargo Tanks Constructed of Steel, Primarily For Transportation of Compressed Gases	
178.336.0.1	[178.336-1]	General Requirements
178.336.0.2	[178.336-2]	Material
178.336.0.3	[178.336-3]	Thickness of Metal
178.336.0.4	[178.336-4]	Joints
178.336.0.5	[178.336-5]	Bulkheads, Baffles, and Ring Stiffeners
178.336.0.6	[178.336-6]	Closures for Manholes
178.336.0.7	[178.336-7]	Overturn Protection
178.336.0.8	[178.336-8]	Outlets
178.336.0.9	[178.336-9]	Safety Relief Devices, Valves, and Connections
178.336.1.0	[178.336-10]	Protection of Fittings
178.336.1.1	[178.336-11]	Emergency Discharge Control
178.336.1.2	[178.336-12]	Shear Section
178.336.1.3	[178.336-13]	Anchoring of Tank
178.336.1.4	[178.336-14]	Gauging Devices
178.336.1.5	[178.336-15]	Pumps and Compressors
178.336.1.6	[178.336-16]	Testing Requirements
178.336.1.7	[178.336-17]	Marking of Cargo Tanks
178.336.1.8	[178.336-18]	Certification
178.337	Specification MC 331; Cargo Tanks Constructed of Steel, Primarily For Transportation of Compressed Gases, As Defined in the Compressed Gas Section (Repealed)	
178.337.0.1	[178.337-1]	General Requirements (Repealed)
178.337.0.2	[178.337-2]	Material (Repealed)
178.337.0.3	[178.337-3]	Thickness of Tank Metal (Repealed)
178.337.0.4	[178.337-4]	Joints (Repealed)
178.337.0.5	[178.337-5]	Bulkheads, Baffles, and Ring Stiffeners (Repealed)
178.337.0.6	[178.337-6]	Closure for Manhole (Repealed)
178.337.0.7	[178.337-7]	Overturn Protection (Repealed)
178.337.0.8	[178.337-8]	Outlets (Repealed)
178.337.0.9	[178.337-9]	Safety Relief Devices, Valves, and Connections (Repealed)
178.337.1.0	[178.337-10]	Protection of Fittings (Repealed)
178.337.1.1	[178.337-11]	Emergency Discharge Control (Repealed)
178.337.1.2	[178.337-12]	Shear Section (Repealed)

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178.337.1.3	[178.337-13]	Supporting and Anchoring (Repealed)
178.337.1.4	[178.337-14]	Gauging Devices (Repealed)
178.337.1.5	[178.337-15]	Pumps and Compressors (Repealed)
178.337.1.6	[178.337-16]	Testing (Repealed)
178.337.1.7	[178.337-17]	Marking (Repealed)
178.337.1.8	[178.337-18]	Certification (Repealed)
178.340	General Design and Construction Requirements Applicable to Specifications MC 306 (Section 178.341), MC 307 (Section 178.342), and MC 312 (Section 178.343) Cargo Tanks (Repealed)	
178.340.0.1	[178.340-1]	Specification Requirements for MC 306, MC 307, and MC 312 Cargo Tanks (Repealed)
178.340.0.2	[178.340-2]	General Requirements (Repealed)
178.340.0.3	[178.340-3]	Material (Repealed)
178.340.0.4	[178.340-4]	Structural Integrity (Repealed)
178.340.0.5	[178.340-5]	Joints (Repealed)
178.340.0.6	[178.340-6]	Supports and Anchoring (Repealed)
178.340.0.7	[178.340-7]	Circumferential Reinforcements (Repealed)
178.340.0.8	[178.340-8]	Accident Damage Protection (Repealed)
178.340.0.9	[178.340-9]	Pumps (Repealed)
178.340.1.0	[178.340-10]	Certification (Repealed)
178.341	Specification MC 306; Cargo Tanks (Repealed)	
178.341.0.1	[178.341-1]	General Requirements (Repealed)
178.341.0.2	[178.341-2]	Thickness of Shells, Heads, Bulkheads, and Baffles (Repealed)
178.341.0.3	[178.341-3]	Closures for Fill Openings and Manholes (Repealed)
178.341.0.4	[178.341-4]	Vents (Repealed)
178.341.0.5	[178.341-5]	Emergency Flow Control (Repealed)
178.341.0.6	[178.341-6]	Gauging Devices (Repealed)
178.341.0.7	[178.341-7]	Method of Test (Repealed)
178.342	Specification MC 307; Cargo Tanks (Repealed)	
178.342.0.1	[178.342-1]	General Requirements (Repealed)
178.342.0.2	[178.342-2]	Thickness of Shell, Heads, Bulkheads, and Baffles (Repealed)
178.342.0.3	[178.342-3]	Closures for Manholes (Repealed)
178.342.0.4	[178.342-4]	Vents (Repealed)
178.342.0.5	[178.342-5]	Outlets (Repealed)
178.342.0.6	[178.342-6]	Gauging Devices (Repealed)
178.342.0.7	[178.342-7]	Method of Test (Repealed)
178.343	Specification MC 312; Cargo Tanks (Repealed)	
178.343.0.1	[178.343-1]	General Requirements (Repealed)
178.343.0.2	[178.343-2]	Thickness of Shell, Heads, Bulkheads, and Baffles of Non-Asme Code Tanks (Repealed)

Closures for Manholes (Repealed)

Vents (Repealed)

Outlets (Repealed)

Gauging Devices (Repealed)

Method of Test (Repealed)

Specification 7A; General Packaging, Type A (Repealed)

General Requirements (Repealed)

Specific Requirements (Repealed)

Marking (Repealed)

General

Incorporation by Reference of 49 CFR 178

Tensile Specimen

Material Thickness (Repealed)

Minimum Thickness of Heads, Bulkheads, and Baffles (Repealed)

Minimum Thickness of Shell Sheets (Repealed)

Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1987 ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 5 Ill. Reg. 1715, effective February 9, 1981; amended at 6 Ill. Reg. 10036, effective August 2, 1982; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 20047, amended at 8 Ill. Reg. 20064, effective October 1, 1984; amended at 10 Ill. Reg. 5897, effective April 1, 1986; amended at 10 Ill. Reg. 20770, effective December 1, 1986; amended at 11 Ill. Reg. 4786, effective March 10, 1987; amended at 11 Ill. Reg. 17904, effective October 20, 1987; amended at 12 Ill. Reg. 8093, effective April 26, 1988; amended at 13 Ill. Reg. 4004, effective March 14, 1989.

In reading this Part it is necessary to read Sections 178.1000 and 179.2000 prior to reading the remaining Sections in numerical order.

Incorporation By Reference of 49 CFR 178

As Part 178 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 178 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on November 1, 1988, subject only

to the exceptions in paragraph (b) of this Section. No later amendments to or editions of 49 CFR 178 are incorporated.

The following interpretations of, additions to and deletions from the 49 CFR 178 shall apply for purposes of this Part 178 of the Illinois Hazardous Materials Transportation Regulations.

- All references to "this part" in the incorporated federal regulations shall mean Part 178 of the Illinois Hazardous Materials Transportation Regulations.
- All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean Subchapter c of Chapter I of Title 92 of the Illinois Administrative Code.
- All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.
- All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those Parts or sections in the federal hazardous materials transportation regulations.

(Source: Amended at 13 Ill. Reg. 4004, effective March 14, 1989.)

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part: Illinois Seed Law
- 2) Code Citation: 8 Ill. Adm. Code 230
- 3) Section Number: Emergency Action:
230.20 Amended
- 4) Statutory Authority: Illinois Seed Law (Ill. Rev. Stat. 1987, ch. 5, pars. 403, 405, 408, 408.1)

5) Effective Date of Amendments: March 9, 1989

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: n/a

7) Date Filed in Agency's Principal Office: March 9, 1989

8) Reason for Emergency: Serrated Tussock is a weed seed not native to the United States and is listed as a noxious weed under the Federal Noxious Weed Act. However, shipments of seed from Argentina have recently been found to contain the weed seed Serrated Tussock in neighbor states. These states and other states have issued quarantines to prevent the introduction or spread of this weed seed, which is detrimental to livestock production and consumers will find it economically costly to control. The emergency rule is needed because of the recent identification of Serrated Tussock in interstate shipments. This will prevent the introduction of a foreign noxious weed seed into Illinois.

9) A Complete Description of the Subjects and Issues Involved:

Serrated Tussock or Nassella Trichotoma (scientific name) has been added to the list of prohibited (primary) noxious weed seeds. This action is intended to prevent the introduction of this noxious weed seed into Illinois and allow the Department of Agriculture to take actions as authorized in the Act to prevent the spread of the weed seed when it is discovered in the State. Consumers who purchase seed containing this weed seed will incur expense in attempting to eradicate it. Further, this weed seed is detrimental to livestock.

10) Are there any proposed amendments to this Part pending? No; however, proposed rulemaking on this subject appears in this issue of the Illinois Register.

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY AMENDMENTS

11) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.

12) Information and questions regarding this amendment shall be directed to:

Name: Donna Garman
Address: Department of Agriculture, Fairgrounds, Springfield,
Illinois 62794-9281
Telephone: 217/782-2172

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER 1: DEPARTMENT OF AGRICULTURE
SUBCHAPTER g: SEEDSPART 230
ILLINOIS SEED LAW

Section 230.10 Methods of Sampling, Inspecting, Analyzing, Testing and Examining Agricultural, Vegetable, and Other Seeds and Tolerances to be Followed in the Administration of the Act

230.20 Prohibited (Primary) Noxious Weed Seeds

EMERGENCY

- 230.30 Restricted (Secondary) Weed Seeds
- 230.40 Label Requirements
- 230.50 Relabeling Seed After Expiration of Germination Date
- 230.60 Prohibitions
- 230.70 Seed Permit
- 230.80 Fee Charges for Requested Official Seed Sampling and for Seed Samples Submitted for Purity Analysis, Noxious Weed Test and Germination Test
- 230.90 Sampling in the Administration of the Act
- 230.100 Labeling Treated Seed
- 230.110 Plant Variety Protection Act
- 230.120 Sampling Small Containers in the Administration of This Act
- 230.130 Hybrid
- 230.140 Germination Standards for Vegetable Seeds
- 230.150 Native Grasses
- 230.160 Grower's Declaration (Repealed)
- 230.170 Labeling of Seed Distributed to Wholesalers
- 230.180 Germination as to Mixtures
- 230.190 Disclaimers, Limited Warranties and Nonwarranties
- 230.200 Use of the Department of Agriculture in Advertising
- 230.210 Seed Certifying Agency
- 230.220 Uncleaned Seed
- 230.230 Uncleaned Seed (Repealed)
- 230.240 Revocation of Permits
- 230.250 Refusal to Issue Permit
- 230.260 Seed Contract
- 230.270 Seed Disposition Report
- 230.280 Removal of Seed Permit
- EXHIBIT A Example of Label or Tag for Container of Agricultural, Vegetable or Other Seeds

AUTHORITY: Implementing and authorized by The Illinois Seed Law (Ill. Rev. Stat. 1987, ch. 5, par. 401 et seq.).

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY AMENDMENTS

SOURCE: Adopted and codified at 5 Ill. Reg. 6956, effective July 1, 1981; notice of codification at 5 Ill. Reg. 10520; amended at 8 Ill. Reg. 8174, effective May 29, 1984; amended at 12 Ill. Reg. 10437, effective July 1, 1988; emergency amendments at 13 Ill. Reg. 4015, effective March 9, 1989, for a maximum of 150 days.

Section 230.20 Prohibited (Primary) Noxious Weed Seeds
EMERGENCY

The following list of prohibited noxious weed seeds is hereby established:

Common name	Scientific name
Bindweed, field	Convolvulus arvensis
Cress, hoary	Cardaria draba
Johnsongrass*	Sorghum halepense
Knapweed, Russian	Centaurea picris
Sowthistle, perennial	Sonchus arvensis
Spurge, leafy	Euphorbia esula
Thistle, Canada	Cirsium arvense
Tussock, serrated	Nassella Trichotoma

*NOTE: Johnsongrass includes Sorghum Almum (Sorghum almum) and all seeds indistinguishable from Johnsongrass.

(Source: Emergency amendments at 13 Ill. Reg. 4015, effective March 9, 1989, for a maximum of 150 days)

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NOTICE OF EMERGENCY RULES

NOTICE OF EMERGENCY RULES

- 1) The Heading of the Part: Economic Dislocation and Worker Adjustment Assistance
- 2) Code Citation: 56 Ill. Adm. Code 2625
- 3) Section Numbers: 2625.20 New Section
2625.30 New Section
2625.40 New Section
2625.50 New Section
- 4) Statutory Authority: Implementing the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act (Title VI, Subtitle D, of the Omnibus Trade and Competitiveness Act of 1988, P.L. 100-418, effective August 23, 1988) and Sections 4(c),(d),(e), and (g) of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, par. 2104, as amended by P.A. 85-1424, effective December 20, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).
- 5) Effective Date of Rules: March 13, 1989
- 6) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they are to expire: Not applicable.

7) Date Filed in Agency's Principal Office: March 10, 1989.

8) Reason for Emergency: JTPA provides training funds for economically disadvantaged individuals and other individuals facing serious barriers to employment, thereby enabling them to obtain productive employment. High unemployment is one of the gravest problems this country faces today. Assisting dislocated workers in gaining marketable job skills improves their welfare and is in the best interest of everyone. Employment can break the cycle of poverty and decrease or eliminate the need for public assistance.

Section 2625.20 provides definitions for the program. Section 2625.30 specifies policy governing the allocation of Title III funds; Section 2625.40 provides procedures whereby substate areas are designated for funding; and, Section 2625.50 addresses the designation of substate grantees. These amendments are necessary due to federal legislation regarding program implementation for Program Year (PY) 1989 which begins July 1, 1989. The allocation of funds, designation of substate areas, and designation of substate grantees are three of the initial policies which had to be determined for program implementation. In accordance with the legislation, the policies contained in these

rulemakings must be reviewed by the Illinois Job Training Coordinating Council (IJTCC). The composition of the IJTCC was also changed by that legislation. The reconstituted council's first meeting was held February 10, 1989, at which time policies were approved for incorporation in rules.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to establish the "Economic Dislocation and Worker Adjustment Assistance" program rules governing the Title III Job Training Partnership Act funds, in accordance with the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act found in P.L. 100-418, effective August 23, 1988. Section 2625.20 provides definitions for the program. Section 2625.30 addresses the allocation of Title III funds. Section 2625.40 specifies the procedure governing the designation of substate areas. Section 2625.50 provides the provisions for designating substate grantees.

10) Are there any proposed amendments to this Part pending? No.

11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

12) Information and questions regarding these rules shall be directed to:

Mr. Dennis R. Whetstone, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the emergency rules begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF EMERGENCY RULES

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRSPART 2625
ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE

Section
2625.20 Definitions
EMERGENCY
2625.30 Allocation of Funds
EMERGENCY
2625.40 Title III Substate Area
EMERGENCY
2625.50 Designation of Substate Grantees
EMERGENCY

AUTHORITY: Implementing Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and Sections 4 and 301-317 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).

SOURCE: Emergency rules adopted at 13 Ill. Reg. _____, effective March 13, 1989 _____, for a maximum of 150 days.

Section 2625.20 Definitions
EMERGENCY

For the purpose of this Part, the terms and definitions specified in Section 4 of the Act (29 U.S.C. 1501) and 56 Ill. Adm. Code 2600.20 are applicable.

Section 2625.30 Allocation of Funds
EMERGENCY

- a) Federal Allotment to States - The State receives JTPA Title III funds as allotted by the Secretary of the U.S. Department of Labor in accordance with Section 302(b) of the Act.
- b) Federal Reserve Fund - The Department of Commerce and Community Affairs (Department) shall apply for funds reserved by the Secretary of the U.S. Department of Labor under Section 302(a)(2) of the Act, in accordance with Title III instructions periodically issued by the Secretary of the U.S. Department of Labor. Reserve funds shall be used to provide services, of the type described in Section 314 of the Act, to individuals who are

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affected by the circumstances described in Section 323 of the Act, and conduct activities as applicable under Section 324 of the Act.

- c) State Allocation to Substate Areas - The Governor shall allocate 60 percent of the State's Title III allotment to substate areas in accordance with Section 302(d) of the Act. The allocation formula shall utilize the information detailed in Section 302(d) of the Act. Each of the following shall be the basis for allocating 25 percent of the total allocation to each substate area: insured unemployment data, unemployment concentrations data, declining industries data and long-term unemployment data. The following shall be included in the allocation formula, but shall not be bases for the distribution of funds at this time: plant closing and mass layoff data, and farmer-rancher economic hardship data.

- 1) The following shall be the measures of the factors to be used in calculating the allocation of Title III funds to substate areas:

- A) Insured Unemployment Data - The relative number, for each substate area, of unemployment insurance claimants under the Unemployment Insurance (UI) system.
- B) Unemployment Concentrations Data - The relative number, in each substate area, of unemployed individuals residing in counties (or sub-county substate areas) with an unemployment rate higher than the statewide unemployment rate for the same time periods as used in federal allotments.
- C) Declining Industries Data - The relative number, in each substate area, of jobs lost within industries which have experienced declining employment.
- D) Long-Term Unemployment Data - The relative number, in each substate area, of unemployment insurance claimants who have received benefits for 15 or more weeks under the UI system.
- 2) No substate area shall be allocated an amount less than a minimum set by the Illinois Job Training Coordinating Council (IJTCC). The minimum for the first year is \$200,000. If the amounts allocated pursuant to the above formula are not sufficient to meet this level for each substate area, the amounts allocated to all other areas

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shall be ratably reduced so that each receives no less than the minimum.

- 3) As applicable, the Department shall utilize data for the same base period as the Secretary of the U.S. Department of Labor pursuant to Section 162 of the Act, if all necessary data is available to the Department in a timely manner.
- d) Reservations for State Activities and for Substate Grantees in Need - In accordance with Section 302(c) of the Act, the Governor shall reserve 40 percent of the amount allotted to the State under Section 302(a)(1) of the Act. These funds shall be used for the activities described in Section 302(c)(1)(A) through (E) of the Act.

Section 2625.40 Title III Substate Area
EMERGENCY

a) Designation of Substate Area

- 1) The Department on behalf of the Governor may initiate an application process for Private Industry Councils and local chief elected officials to request designation as a substate area under the JTPA to take effect at the start of Program Year 1989. The process for designation and redesignation of substate areas shall conform with the requirements of Section 312(a) of the Act and 53 FR 41594 (to be codified at 20 CFR 631.34) (October 24, 1988, with no later amendments or editions). Redesignation of substate areas shall not take place more frequently than once every two years and shall not be made later than four months before the beginning of a program year. In considering whether to initiate an application process for designation, the Department shall ensure that each SDA within the State is included within a substate area and that no SDA is divided among two or more substate areas; ensure the recommendations of the IJTC are considered by the Governor; consider the availability of administrative funds to support the existing SDA administrative structure; and, consider the capacity available in the substate areas to achieve or exceed performance standards. The IJTC shall recommend to the Governor substate areas by preparing a map of the State identifying the geographical area to be included in each substate area. Pursuant to Section 4(c) of the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, par. 2104, as amended by P.A. 85-1424, effective December 20, 1988), these recommendations shall be forwarded to the President of the

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Senate and Speaker of the House of Representatives, or their designees, for review and comment by the Illinois General Assembly. In addition to criteria which may be identified by the IJTC, the IJTC shall consider the following criteria prior to making recommendations to the Governor on designation and redesignation:

- A) the availability of services throughout the State;
- B) the capability to coordinate the delivery of services with other human service and economic development programs;
- C) the geographic boundaries of labor market areas within the State;
- D) the adequacy of estimated available funds to support the administrative expenses of proposed substate areas;
- E) the potential impact of designation and redesignation decisions on the ability to maintain existing effective local relationships established for the provision of employment and training services (e.g., agreements among local chief elected officials).

- 2) In addition to the entities identified in Section 312(a)(4) of the Act, the Governor may, without regard to the 200,000 population requirement, designate SDAs with smaller population as substate areas. The Governor may deny a request for substate area designation from a consortium of two or more substate areas that meets the requirements of Section 312(a)(5) of the Act only upon a determination that the request is not consistent with the effective delivery of services to eligible dislocated workers in the relevant labor market area, or would otherwise be inappropriate. In denying a consortium's request for substate area designation, the Governor shall set forth the basis and rationale for the denial (Section 312(a)(5) of the Act). Entities described in 53 FR 41594 (to be codified at 20 CFR 631.34(c)(1)) may appeal the Governor's denial according to procedures described in 53 FR 41594 (to be codified at 20 CFR 631.34(g)).

- b) Petition for Redesignation - Pursuant to Section 312(a)(6) of the Act, the Department shall initiate an application process for redesignation as described in subsection (a), if a petition is filed with the Department by an entity specified in Section

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312(a)(4) of the Act. Petitions shall be accepted only if filed at least eighteen months before the start of the program year for which the redesignation is proposed. Petitions for redesignation shall include a Consortium Membership Agreement for petitioners pursuant to Section 312(a)(4)(B) of the Act.

Section 2625.50 Designation of Substate Grantees EMERGENCY

a) Transition Provisions - Provisions of this subsection shall apply to the initial designation of the substate grantee to implement the provisions of the Economic Dislocation and Worker Adjustment Assistance Act. In each substate area designated by the Governor pursuant to Section 2625.40, a substate grantee shall be designated in accordance with Section 312(b) of the Act. Pursuant to the transition provisions specified at 53 FR 41597 (to be codified at 20 CFR 631.70(c)) (October 24, 1988, with no later amendments or editions), the effective period of this designation shall end June 30, 1990. The chief elected officials (CEO) for each substate area and the Private Industry Council (PIC) shall recommend to the Governor an entity as substate grantee. In any case in which there are two or more units of general local government, the CEO of such units shall negotiate with the PIC in a manner consistent with the agreements established pursuant to Sections 102(d)(2) and 103(b) of the Act to arrive at a recommendation. In any case where the Governor concurs with the joint recommendation of the CEO and PIC, the Department shall forward a written agreement to the CEO and PIC for signatures to execute the agreement with the Governor. In any area where the CEO and the PIC cannot reach agreement, the CEO and PIC shall forward separate recommendations to the Governor. The Department shall distribute written instructions for the submittal of recommendations. In any case where the Governor is not in agreement with the CEO and PIC recommendation, or the CEO and PIC are not in agreement, the Department shall first attempt to negotiate a consensus recommendation. In the event a consensus recommendation cannot be reached, the Governor shall select the substate grantee. In attempting to negotiate a consensus recommendation or, in the absence of consensus, when designating the substate grantee, the Governor shall consider the following:

- 1) The degree to which the designation will contribute to the elimination of duplication of services;
- 2) The degree to which the designation will foster coordination of services with other programs under the Act;

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- 3) The ability of the agency recommended to deliver services as evidenced by past experience in the administration of employment and training programs; and,
 - 4) The degree to which the proposed designation capitalizes on the expertise of the Regional Dislocated Worker Centers established under previous statute.
- b) Eligible Agencies - Entities defined pursuant to Section 312(c) of the Act are eligible to be designated as substate grantee.
- c) Biennial Designation - Pursuant to the requirements of Section 312(b) of the Act, a substate grantee shall be designated on a biennial basis in accordance with an agreement among the Governor, the local chief elected official or officials of the substate area and the PIC. In any case in which there are two or more units of general local government, the CEO of such units shall negotiate with the PIC in a manner consistent with the agreements established pursuant to Sections 102(d)(2) and 103(b) of the Act. Designation of the substate grantee shall be consistent with coordinated service delivery, cost effective service provision, and adequate administrative safeguards. Biennial designation of the substate grantee shall conform to the following procedures:

1) Performance Related - In any case where the substate grantee fails to meet performance standards promulgated by the Secretary pursuant to Section 106(c) of the Act or fails to provide adequate administrative safeguards consistent with good program management, the Department shall initiate negotiations for the designation of the substate grantee. In such cases, the Department shall forward written instructions to the CEO and PIC describing procedures for negotiations. The existing substate grantee shall not be redesignated unless the following procedures are followed:

- A) The reasons for inadequate performance shall be documented and provided to the Department.
- B) A corrective action plan shall be developed and submitted to the Department. The plan shall include, as appropriate, reorganization of the substate grantee to address the reasons for inadequate performance. The plan shall describe other proposed corrective action to address inadequate performance.
- C) The IJTC shall review the documentation and proposed

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corrective action and make a recommendation to the Department regarding the designation.

- D) The Department shall determine that the corrective action plan has a reasonable expectation of correcting inadequate performance.

- 2) Local Request for Designation - Either the CEO or the PIC may request the Department to initiate procedures for the designation of a substate grantee. In order to allow adequate time for negotiations and transition of participants, such a request shall be made in writing twelve (12) months in advance of the biennial cycle in which the proposed redesignation is to take effect. After a request is made, the Department shall issue written instructions to the CEO and PIC regarding the conduct of negotiations to arrive at an agreement pursuant to Section 312(b) of the Act.

- 3) Continuing Designation - Except as provided under subsections (c)(1) and (c)(2), existing agreements shall be automatically renewed at the beginning of each biennial cycle. Unless requested by a party to the agreement, no modification to the existing agreement shall be made, and the existing agreement shall remain in effect. Modifications to the agreement shall be in writing and signed by all parties.

- 4) Inability to Perform - If for any reason (e.g., insolvency) the existing substate grantee is unable to fulfill its responsibilities under the Act, the Governor shall immediately initiate redesignation procedures with the CEO and PIC.

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- 1) The Heading of the Part: Service Delivery System and State Responsibilities

- 2) Code Citation: 56 Ill. Adm. Code 2600

- 3) Section Numbers: Emergency Action:
2600.20 Amendment
2600.30 Amendment

- 4) Statutory Authority: Implementing Section 122 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988), Section 46.41 of the Civil Administrative Code Of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, pars. 2101 et seq., as amended by P.A. 85-1424, effective December 20, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois, (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).

- 5) Effective Date of Amendments: March 13, 1989

- 6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire:
Not applicable.

- 7) Date Filed in Agency's Principal Office: March 10, 1989.

- 8) Reason for Emergency: JTPA provides training funds for economically disadvantaged individuals and other individuals facing serious barriers to employment, thereby enabling them to obtain productive employment. High unemployment is one of the gravest problems this country faces today. Assisting individuals in gaining marketable job skills improves their welfare and is in the best interest of everyone. Employment can break the cycle of poverty and decrease or eliminate the need for public assistance.

In accordance with recent legislation (i.e., the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Act (Title VI, Subtitle D, of the Omnibus Trade and Competitiveness Act of 1988, P.L. 100-418, effective August 23, 1988) and the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, pars. 2101 et seq., as amended by P.A. 85-1424, effective December 20, 1988)), the composition and duties of the Illinois Job Training Coordinating Council (IJTCC) have been revised. Rules specifying the composition and duties of the IJTCC are being revised by emergency to allow the IJTCC to act upon policies also changed in the above mentioned legislation. (i.e., allocation of State funds, designation of substate areas, designation

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of substate grantees). Those policies are contained in emergency rules also submitted today entitled "Economic Dislocation and Worker Adjustment Assistance" (56 Ill. Adm. Code 2625).

- 9) A Complete Description of the Subjects and Issues Involved: This rulemaking serves to revise the rules governing the composition and duties of the Illinois Job Training Coordinating Council found in Sections 2600.20 and 2600.30. Additionally, Section 2600.20 has been amended to add, revise, or delete definitions necessary to implement the "Economic Dislocation and Worker Adjustment Assistance" rules (56 Ill. Adm. Code 2625).

- 10) Are there any proposed amendments to this Part pending? No.

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).

- 12) Information and questions regarding these amendments shall be directed to:

Mr. Dennis R. Whetstone, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the emergency amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 2600

SERVICE DELIVERY SYSTEM AND STATE RESPONSIBILITIES

Section	
2600.10	Legislative Base
2600.20	Definitions
EMERGENCY	
2600.30	Illinois Job Training Coordinating Council
EMERGENCY	
2600.40	Local Service Delivery System
2600.50	Liability
2600.60	Governor's Coordination and Special Services Plan
2600.70	Oversight and Management of Labor Market Information Programs
2600.80	Labor Standards

AUTHORITY: Implementing Sections 46.41 and 46.49 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.41 and 46.49), Sections 4 and 101-184 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988) and the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat. 1987, ch. 48, pars. 2101 et seq., as amended by P.A. 85-1424, effective December 20, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).

SOURCE: Adopted at 8 Ill. Reg. 18073, effective September 17, 1984; amended at 9 Ill. Reg. 5591, effective April 17, 1985; amended at 9 Ill. Reg. 13068, effective August 13, 1985; amended at 10 Ill. Reg. 4795, effective March 11, 1986; emergency amendment at 10 Ill. Reg. 14830, effective August 21, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 11653, effective June 29, 1987; emergency amendment at 13 Ill. Reg. 4028, effective March 13, 1989, for a maximum of 150 days.

Section 2600.20 Definitions
EMERGENCY

The State shall adopt the following definitions for the terms listed as follows:

"Acquisition Cost of Purchased Nonexpendable Personal Property" - The net invoice unit price of the property including the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the property usable for the purpose for which it was acquired. Other charges such as the cost of installation, transportation, taxes, duty, or protective in-transit insurance, shall be included or excluded from the unit acquisition cost in

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accordance with the grantee's regular accounting practices.

"Act" - Job Training Partnership Act October of 1982 (P.ublie L.ew 97-300 as amended by P.ublie L.ew 97-404, P.L. 98-524, P.L. 99-496, P.L. 99-570 and P.L. 100-418) (29 U.S.C. 1501, December 31, 1982).

"Additional Dislocated Worker" - A displaced homemaker as that term is defined in section 4(29) of the Act.

"Applicant" - Individual who is receiving, or has received, only outreach or intake services, or both. An "applicant" may or may not become a "participant", based upon the outcome of intake and the individual's willingness to participate.

"Applicant Agency" - Educational, employment and training agencies which can provide services to workers who are affected by mass-layoff or plant closings.

"Application Date" - The date the applicant signs and dates the JTPA application certifying that the information on the form is correct to the best of his/her knowledge. In the case of a minor (except emancipated youth) the application date is the date the parent/guardian signs the application.

"Assessment" - Services designed to initially determine each applicant's/participant's employability, aptitudes, abilities, and interests, through interviews, testing, and counseling which are conducted to achieve the applicant's/participant's employment related goals.

"Barriers to Employment" - Characteristics that may hinder an individual's hiring, promotion, or participation in the labor force. Some examples of individuals who may face barriers to employment include: single parents, women, displaced homemakers, youth, welfare recipients, older workers, addicts, alcoholics, teenage parents, veterans, racial minorities, dislocated workers specified in 56 Ill. Adm. Code 2620.90, and those with limited English speaking ability or a criminal record or with a lack of education, work experience, credentials, child care arrangements, or transportation.

"Basic Education Skills" - A PIC-Recognized Youth Employment Competency skill area which includes reading comprehension, math computation, writing, speaking, listening, and the capacity to use these skills in the workplace.

"Chief Elected Official" - The highest elected official(s) of the unit or units of general purpose local government of which the

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Service Delivery Area (SDA) is configured (e.g., County Board Chairperson in multi-county SDAs or mayors in SDAs made up of a single city or a consortia of cities.) In addition, the highest elected official of any unit of local government which was a prime sponsor under Comprehensive Employment and Training Act (CETA) during Federal fiscal year 1983 (29 U.S.C. 801) is a chief elected official.

"Citizenship" - Designation of an applicant as a citizen or "eligible noncitizen" whose status permits permanent employment in the United States. (For JTPA recordkeeping purposes, "eligible noncitizen" includes nationals of the United States, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the United States).

~~"Community Task Force" - The Community Task Force is an advisory board to a regional dislocated worker center or JTPA title III project. Representation on the Community Task Force shall include, but is not limited to, the private sector, organized labor, local government, education, job service, private industry Council (PIC), financial community, and local social service providers. The Department recommends, if feasible for the local area, that community task forces become subcommittees of the local Private Industry Councils.~~

"Continuing CETA Participant" - Any individual who on September 30, 1983 is enrolled in any service, training or subsidized employment program under the Comprehensive Employment and Training Act (CETA) (29 U.S.C. 801, effective October 27, 1978), and who will continue to participate in such programs after enrollment in the Job Training and Partnership Act (JTPA), shall be considered a "continuing CETA participant."

"Department" - The Illinois Department of Commerce and Community Affairs.

~~"Discretionary Fund" - Funds reserved under title III, Section 304(a) 322(a)(3) of the Act for distribution at the Secretary of Labor's discretion to serve individuals who are workers affected by mass layoffs, natural disasters, Federal Government actions, high unemployment areas, or designated enterprise zones. Governors shall apply for the funds to the Secretary multi-State or industry-wide dislocations and to areas of special need in a manner that efficiently targets resources to areas of most need, encourages a rapid response to economic dislocations, and promotes the effective use of funds.~~

"Dislocated Worker" - An individual who meets the eligibility

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requirements specified in 56 Ill. Adm. Code 2620.90 or Section 301(a) of the Act.

"Dislocated Worker Unit" - The identifiable unit within the Department which will be given the responsibility and capability to respond rapidly, on site, to permanent closures and substantial layoffs throughout the State and to provide the services described in Section 311(b)(3) of the Act.

"Displaced Homemaker" - A person who

has worked in the home for a substantial number of years providing unpaid household services for family members;

has difficulty in securing employment; and

was dependent on the income of another family member but is no longer supported by such income, or

was dependent on federal assistance but is no longer eligible for such assistance.

"Documented Job Search Criterion" - One month job search demonstrated by current registration with the Illinois Job Service.

"Early Readjustment Assistance" - Assistance given to a Title III participant at the time of or soon after a layoff event which provides necessary early intervention services (testing, assessment, orientation, etc.).

"Economically Disadvantaged" - An individual who

receives, or is a member of a family which receives, cash welfare payments under a Federal, State, or local welfare program;

has, or is a member of a family which has, received a total family income for the six-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, and welfare payments) which, in relation to family size, was not in excess of the higher of

the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, or

70 percent of the lower living standard income level;

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is included in a Public Aid Food Stamp Assistance Unit (see 89 Ill. Adm. Code 121.70);

is a foster child on behalf of whom State or local government payments are made; or

is an adult handicapped individual whose own income meets the income requirements of this definition, but who is a member of a family whose income does not meet such requirements.

"Education Status" -

School Dropout - An adult or youth (aged 14 - 21) who is not attending school full-time and has not received a high school diploma or a General Education Diploma (GED) certificate.

Student (High School or Less) - An adult or youth (aged 14 - 21) who has not received a high school diploma or GED certificate and is enrolled full-time in an elementary, secondary or post-secondary level vocational, technical, or academic school, or is between school terms and intends to return to school.

High School Graduate or Equivalent (No Post-High School) - An adult or youth (aged 14 - 21) who has received a high school diploma or GED certificate, but who has not attended any post-secondary vocational, technical, or academic school.

Post-High School Attendee - An adult or youth (aged 14 - 21) who has received a high school diploma or GED certificate and has attended (or is attending) any post-secondary level vocational, technical, or academic school.

"Eligible Dislocated Workers" - Individuals who:

have been terminated or laid off or who have received a notice of termination or layoff from employment, are eligible for or have exhausted their entitlement to unemployment compensation, and are unlikely to return to their previous industry or occupation;

have been terminated or have received a notice of termination of employment, as a result of any permanent closure of or any substantial layoff at a plant, facility, or enterprise;

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are long-term unemployed and have limited opportunities for employment or reemployment in the same or a similar occupation in the area in which such individuals reside, including older individuals who may have substantial barriers to employment by reason of age; or

were self-employed (including farmers and ranchers) and are unemployed as a result of general economic conditions in the community in which they reside or because of natural disasters, subject to regulations prescribed by the Secretary.

"Eligible State" - As part of the Title III reallocation process, as specified in Section 303 of the Act, an eligible State is one which has expended at least 80 percent of its allotment for the program year prior to the program year for which the determination is made.

"Emancipated Youth" - An emancipated youth is a minor released from the control and supervision of his/her parent(s) or guardian(s) according to the provisions of The Emancipation of Mature Minors Act (1979) (Ill. Rev. Stat. 1985, ch. 40, pars. 2201-2211).

"Employer Outreach" - Activities involving contacts with potential employers of JTPA participants for the purpose of acquiring current employment opportunities, listings and commitments. These activities include: promoting JTPA services with local employers, job fairs, local business conferences and seminars, and similar activities and events which are necessary and are designed with the clear intent to obtain job listings and openings or current job training opportunities.

"Employment Generating Activities" - Activities conducted for the purpose of encouraging expansion or creation of business which are not directly related to current employment and training opportunities for participants, but are intended to result in increased employment opportunities for JTPA-eligible individuals. These activities are not to be used as a substitute for economic development activities or for funds available for similar activities under other Federal programs. These activities include: special surveys, studies, community profiles, job skill forecasts, directly relevant travel and conference expenses, essential labor market and program analysis which does not duplicate other Federal or State funded efforts, consultant services, and similar activities which incur reasonable costs that are necessary for proper and efficient administration of funds granted, and are not a general expense of the organization funded (e.g., publications, memberships, inordinate distribution

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of overhead or other costs, etc.).

"Entered Unsubsidized Employment" - The category for participants who, at termination from the program, entered (through the efforts of the grantee/subgrantee or through their own efforts) full- or part-time unsubsidized employment. Unsubsidized employment means employment not financed from funds provided under the Act and includes for JTPA reporting purposes, entry into the Armed Forces, entry into employment in a registered apprenticeship program, and trainees who became self-employed.

"Entrepreneurial Training" - Training given to Title III participants which will impart the skills necessary to obtain unsubsidized employment through self-employment.

"Entry Employment Experience Program" - As specified in Section 205(d) of the Act, the following restrictions and limitations apply to this activity:

The job training plan may provide for the conduct of an "entry employment experience program" for youth who --

have completed preemployment skills training or its equivalent;

have not recently held a regular part-time or summer job for more than 250 hours of paid employment, except that this paragraph may be waived in accordance with criteria established in the job training plan; and

are enrolled in a secondary school or an institution offering a certified high school equivalency program and are meeting or have met the minimum academic and attendance requirements of that school or education program during the current or most recent term, with priority given to youth who do not plan to continue on to postsecondary education. Entry employment experiences may be up to 20 hours weekly during the school year or full time during the summer and holidays, for a total of not to exceed 500 hours of entry employment experience for any individual. Such experiences shall be appropriately supervised, including the maintenance of standards of attendance and worksite performance.

Entry employment experiences may be one of the following types:

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Full-time employment opportunities in public and private nonprofit agencies during the summer and on a part-time basis in combination with education and training activities. These jobs shall provide community improvement services that complement local expenditures.

Tryout employment at private for-profit worksites, or at public and private nonprofit worksites when private for-profit worksites are not available. Compensation in lieu of wages for tryout employment shall be paid by the grant recipient, but the length of any assignment to a tryout employment position shall not exceed 250 hours. Tryout employment positions shall be the ones for which participants would not usually be hired (because of lack of experience or other barriers to employment), and vacancies in such positions may not be refilled if the previous participant completed the tryout employment but was not hired by the employer.

Cooperative education programs to coordinate educational programs with work in the private sector.

"Equitable Services" -

Services to substantial segments (race, sex, age, national origin) and to Work Incentive (WIN) registrants and school dropouts shall be equitable. Serving those segments and status groups (i.e., WIN registrants and school dropouts) at a level equal to their incidence in the eligible population, aged 16-64, as defined by the state, shall be considered equitable. Serving those segments at a level greater or lesser than that incidence shall be considered equitable if the Service Delivery Area (SDA)

targets services to specific groups and meets requirements of Section 141 of the Act, and

provides justification for that targeting to those groups with greater need.

If, as a result of targeting or requirements of the Act, any substantial segment is served at a rate greater than its proportion within the eligible population, remaining substantial segments should be served proportionately."

"Excess Property" - Property under the control of any Federal or state agency which, as determined by the head thereof, is no

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longer required for its needs or discharge or its responsibilities.

"Expendable Personal Property" - All tangible personal property other than nonexpendable property.

"Family" - One or more persons living in a single residence who are related to each other by blood, marriage, or adoption. A step-child or a step-parent shall be considered to be related by marriage. Also, regardless of residence and/or citizenship, anyone claimed as a dependent on another person's Federal Income Tax return for the previous year shall be presumed to be part of the person's family for the current year. To negate this assumption, the person who was claimed as a dependent for income tax purposes would be required to provide information that demonstrates the individual is no longer financially dependent. Examples of information that may be provided would be a change in living arrangements or financial resources that would enable the person to become non-dependent. Regardless of living arrangements or tax dependency status, the following persons shall be considered a family of one when such consideration would result in the individual being determined eligible for program participation:

any person who is 55 years of age or older;

a handicapped person; or

an individual 18 years of age or older who receives less than 50 percent of his/her maintenance from the family, and also is not the head nor the spouse of the head of the household.

"Family Income" - All income from all sources actually received by all members of the family for the six month period prior to eligibility.

Family income shall INCLUDE:

Gross wages and salary (before deductions), except wages paid for work experience under the Act, but including wages and salary received for on-the-job training.

Net self-employment income (gross receipts minus operating expenses),

Other money income received from sources such as net rents, pensions, alimony, periodic income from

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insurance policy annuities, and other sources of income.

Family income shall NOT INCLUDE:

Old Age and Survivors Insurance benefits received under Title II of the Social Security Act of 1978 (42 U.S.C. 402(1983));

Non-cash income such as food stamps, or compensation received in the form of food or housing;

Imputed value of owner-occupied property, i.e., rental value;

Gifts;

Public assistance (e.g., Aid to Families with Dependent Children (AFDC) under Title IV of the Social Security Act (SSA) (42 U.S.C. 401(1983)), General Assistance (State or local government), Refugee Act of 1980 (8 U.S.C. 1521-1525 (1983)), or Supplementary Social Security Income (SSI) under Title XVI of the SSA (42 U.S.C. 1601-1602 (1983));

Cash payments received pursuant to a State plan approved under Titles I, IV, IX, XVI and XX of the Social Security Act of 1978 (42 U.S.C. 1, 201(a), 401, 402, 1001, 1002, 1601, 1602, 2001, 2002 (1983)) or disability insurance payments received under Title II of the Social Security Act of 1978 (42 U.S.C. 201 (1983));

Federal, State or Local Unemployment benefits;

Payments made to participants in employment and training programs, except wages paid for on-the-job training (OJT) (e.g., the JTPA (29 U.S.C. 1501, December 31, 1982) and Title V of the Older Americans Act of 1965 (42 U.S.C. 3001, December 29, 1981));

Capital gains and losses;

Fixed term, unearned income, such as but not limited to;

Payments received for a limited fixed term under income maintenance programs and supplemental (private) unemployment benefits

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plans;

One-time or fixed-term scholarship and fellowship grants;

Accident, health, and casualty insurance proceeds;

Disability and death payments, including fixed term (but not lifetime) life insurance annuities and death benefits;

Inheritance, including fixed term annuities;

Fixed term workers' compensation awards;

Terminal leave pay;

Soil bank payments;

Agriculture crop stabilization payments;

Pay or allowances which were received by any veteran while serving on active duty in the Armed Forces;

Educational Assistance and Compensation Payments to Veterans and other eligible persons of 1958, Chapters 11, 13, 31, 34, 35, and 36 (38 U.S.C. 301, 401, 1501, 1650, 1700, 1770, September 2, 1958);

Payments received under the Trade Readjustment Act of 1974 (19 U.S.C. 2291, January 3, 1975);

Black Lung payments received under the Benefits Reform Act of 1977 (30 U.S.C. 901, December 29, 1981); and

Child support payments.

"Farm" - A farm is identified on the basis of sales alone and is defined as any place which produced agricultural products with annual sales of \$1,000 or more.

"Follow-Up" - The collection of information on a terminor's employment situation thirteen (13) weeks after termination from the program.

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"Food Stamp Recipient" - An individual who is included in a Public Aid Food Stamp Assistance Unit (see 89 Ill. Adm. Code 121.70).

"Grant Recipient" - Grant recipients are particular types of grantees identified in an agreement required under Section 103(b)(1) of the Act between the chief elected official or officials and the private industry council in the SDA.

"Grantee" - An organization that receives funds from and performs activities on behalf of the Department of Commerce and Community Affairs.

"Grantor" - The Department of Commerce and Community Affairs.

"Handicapped Individual" - Any individual who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment.

"High Unemployment SDA" - As part of the Title III reallocation process, an SDA which is among those SDAs which have unemployment rates greater than the statewide average unemployment for the most recent 12 months for which satisfactory data are available.

"Illinois Job Training Coordinating Council" - The advisory body appointed by the Governor to make recommendations on issues related to employment and training in the State. The council shall be comprised of membership consistent with Section 122(a)(3) of the Act (as amended by P.L. 100-418) and shall perform those functions delineated in Sections 122(b) and 317 of the Act and Public Act 83-1298, effective August 31, 1984 the Illinois Job Training Coordinating Council Act (Ill. Rev. Stat., 1985 1987, ch. 48, pars. 2101 et seq., as amended by P.A. 85-1420, effective December 20, 1988).

"Inactive Status Period" - The time period between last receipt of employment and/or training funded under a given title and the actual date of termination from the title.

"Income Maintenance" - Any program providing financial assistance to persons in financial need.

"Individual Readjustment Plan" - An individualized plan for the Title III participant which assesses during intake, participant skills and needs. This plan then develops a readjustment strategy, detailing those basic readjustment services necessary to allow the participant to either begin training or obtain employment.

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"Intake" - Includes the screening of an applicant for eligibility to determine:

whether the program can benefit the individual (e.g., whether the applicant's educational and vocational needs can be met through the program);

the employment and training activities and services which would be appropriate for that individual;

availability of an appropriate employment and training activity;

a decision on selection for participation in accordance with 56 Ill. Adm. Code 2610.80; and

dissemination of information on the program (see 56 Ill. Adm. Code 2610.130(c)).

"Job-Specific Skills" - A PIC-Recognized Youth Employment Competency skill area which includes primary and secondary job-specific skills. Primary job-specific skills encompass the proficiency to perform actual tasks and technical functions required by certain occupational fields at entry, intermediate or advanced levels. Secondary job-specific skills entail familiarity with and the use of set-up procedures, safety measures, work-related terminology, recordkeeping and paperwork formats, tools, equipment and materials, and breakdown and clean-up routines.

"Job Training Plan" - A two year program plan for the SDA prepared in accordance with Section 104 of the Act and the Department's rules. (See 56 Ill. Adm. Code 2610)

"Joint Costs" - Joint costs means a cost which benefits more than one cost objective.

"Labor Force Status" -

Employed -

An individual who, during the 7 consecutive days prior to application to a JTPA program, did any work at all:

as a paid employee;

in his or her own business, profession or farm, or

worked 15 hours or more as an unpaid worker in an enterprise operated by a member of the family; and

An individual who was not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time off, and whether or not seeking another job. (This term includes members of the Armed Forces on active duty, who have not been discharged or separated, participants in registered apprenticeship programs; and self-employed individuals.)

Unemployed - An individual who did not work during the 7 consecutive days prior to application for a JTPA program, who made specific efforts to find a job within the past 4 weeks prior to application, and who was available for work during the 7 consecutive days prior to application (except for temporary illness).

Not in Labor Force - A civilian 14 years of age or over who did not work during the 7 consecutive days prior to application for a JTPA program and is not classified as employed or unemployed.

Employed Part-Time - An individual who is regularly scheduled for work less than 30 hours per week.

Unemployed 15 or More Weeks of Prior 26 Weeks - An individual who is unemployed at the time of application and has been unemployed for 15 or more weeks of the 26 weeks immediately prior to application.

"Labor-Management Committees" - Committees voluntarily established to respond to actual or prospective worker dislocation, which ordinarily include (but are not limited to) the following:

shared and equal participation by workers and management;

shared financial participation between the company and the State, using funds provided under this Title, in paying for the operating expenses of the committee; a chairperson, to oversee and guide the activities of the committee, who shall be jointly selected by the labor and management members of the committee, who is not employed by or under contract with labor or management at the site, and who

shall provide advice and leadership to the committee and prepare a report on its activities;

the ability to respond flexibly to the needs of affected workers by devising and implementing a strategy for assessing the employment and training needs of each dislocated worker and for obtaining the services and assistance necessary to meet those needs;

a formal agreement, terminable at will by the workers or the company management, and terminable for cause by the Governor; and

local job identification activities by the chairman and members of the committee on behalf of the affected workers.

"Limited English Language Proficiency" - Inability of an applicant, whose native language is not English, to communicate in English, resulting in a job handicap.

"Local Elected Official" - Includes all county and municipal officers (and their designees) such as county board members, mayors, and city or village council members.

"Lower Living Standard Income Level" - That income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary based on the most recent "lower living family budget" issued by the Secretary.

"Major Plant Closing" - When plant closing employs over 100 persons.

"Mass Layoff" - When over 100 persons are on layoff from a plant.

"Monetary Eligibility" - A claimant's eligibility for a weekly benefit amount of unemployment insurance and the amount of dependency allowance, if any, based on the amount of qualifying wages paid.

"Nonexpendable Personal Property" - Tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit.

"Offender" - An adult or youth who requires assistance in overcoming barriers to employment resulting from a record of arrest or conviction (excluding misdemeanors).

"Older Individual" - An individual who is 55 years of age or

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older.

"Older Worker" - An individual who is 55 years of age or older.

"Other Termination" - The termination of a participant who left the grantee's/subgrantee's program for a positive or non-positive reason other than to enter unsubsidized employment, for a reason specified in the definition of "Youth Employability Enhancement Termination", or attained Youth Employment Competency(ies).

"Out-of-Area Job Search" - Assistance provided to a participant for necessary expenses that occur as a result of seeking unsubsidized employment out of the labor market area in which the participant resides. Service must be provided near the end of, or within 90 days after the completion of other retraining services.

"Outreach" - An activity which involves the collection, publication, and dissemination of information on program services directed toward economically disadvantaged and other individuals eligible to receive JTPA training and support services.

"Participant" - An individual who has:

been determined eligible for participation upon intake and has

started receiving employment, training, or services (except post-termination services) funded under the Act, following intake. Individuals who receive only outreach and/or intake and assessment services or post-program follow-up are excluded.

"Participant Carried Over" - A participant for whom there was an active participant record on file at the end of the previous program year.

"Personal Property" - Personal property of any kind except real property. It may be tangible - having physical existence, or intangible - having no physical existence, such as patents, inventions, and copyrights.

"PIC" - Private Industry Council.

"PIC Membership Selection Agreement" - An agreement negotiated pursuant to Section 102(d)(2) of the Act and Section 2600.40(e)(1) of this Part between chief elected officials within the SDA which specifies how members of the PIC shall be selected.

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"Post Termination Services" - Supportive services available to individuals who terminate as, "entered employment," which are determined necessary to assist such individuals in retaining employment. These services may be provided for no more than 6 months following completion of training.

"Poverty Level" - The annual income level at, or below, which families are considered to live in poverty, as annually determined by the Department of Health and Human Services.

"Preemployment Skills Training Program" - As specified in Section 205(c) of the Act, the following restrictions and limitations apply to this activity:

The job training plan may provide for the conduct of a "preemployment skills training program" for youth, and individuals aged 14 and 15, with priority being given to those individuals who do not meet established levels of academic achievement and who plan to enter the full-time labor market upon leaving school.

The preemployment skill training program may provide youth up to 200 hours of instruction and activities.

The instruction and activities may include -

- assessment, testing, and counseling;
- occupational career and vocational exploration;
- job search assistance;
- job holding and survival skills training;
- basic life skills training;
- remedial education;
- labor market information; and
- job-seeking skills training.

"Pre-Employment Skills and Work Maturity Skills" - A PIC-Recognized Youth Employment Competency skill area which includes both pre-employment skills and work maturity skills. Pre-employment skills include world of work awareness, labor market knowledge, occupational information, values clarification and personal understanding, career planning, decision making, and job search techniques (e.g., resumés, interviews, applications,

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and follow-up letters). They also encompass survival/daily living skills such as using the telephone, telling time, shopping, making change, renting an apartment, opening a bank account and using public transportation. Work Maturity skills include positive work habits, attitudes, and behavior such as punctuality, regular attendance, presenting a neat appearance, getting along and working well with others, exhibiting good conduct, following instructions and completing tasks, accepting constructive criticism from supervisors and co-workers, showing initiative and reliability, and assuming the responsibilities involved in maintaining a job. This category also entails developing motivation and adaptability, obtaining effective interpersonal relations, coping and problem-solving skills, and acquiring an improved self image.

"Pre-layoff Services" - Readjustment assistance given to a Title III participant, after the announcement of a layoff and before that layoff becomes effective.

"Private Industry Council" - The Council established pursuant to Section 102 of the Job Training Partnership Act (29 U.S.C. 1512, December 31, 1982). The Council will be comprised of membership consistent with Section 102(a) of the Act and will perform those functions delineated in Section 103(a) of the Act.

"Program Year" - The months of July through June.

"Public Assistance" - Federal, State, or local government cash payments for which eligibility is determined by a need or income test. NOTE: This term is used for eligibility determination and includes the three groups included in "welfare recipient", plus recipients of Supplemental Security Income (SSI), but is not limited to these assistance programs.

"Race/Ethnic Group" - The basic racial and ethnic categories for use in all Federally funded programs are defined by the Office of Management and Budget as follows:

White, Not Hispanic - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Black, Not Hispanic - A person having origins in any of the black racial groups of Africa.

Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

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American Indian or Alaskan Native - A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa. (Hawaiian Natives are included herein.)

"Real Property" - Land, including land improvements, structures and appurtenances thereto, excluding movable machinery and equipment.

"Recipient" - The governor of the State of Illinois.

"Referral" - The act of bringing to the attention of an employer, a local office, a training sponsor, or a supportive service agency, an individual (or group of individuals) who need jobs, training, or related supportive services.

"Regional-Dislocated-Worker-Assistance-Center" --- Employment-and training assistance centers established to provide counseling, assessment, job-search assistance, job-development, training, placement, pre-layoff assistance, and relocation assistance to eligible-dislocated-workers:

"Registered Apprenticeship Program" - A formal written occupational training program which combines on-the-job training and related instruction and in which workers learn the practical and conceptual skills required for a skilled occupation, craft, or trade. Apprenticeship programs must meet 22 criteria specified in 29 CFR 29.5 (1983) to be registered by the Secretary of Labor or designated state representative. Apprentices who complete the program are awarded a certificate of completion by the Bureau of Apprenticeship and Training and/or the state Apprenticeship Council in those states certified as meeting federal requirements.

"Relocation" - Assistance provided to a participant for all or part of the expenses resulting from a participant and his or her family moving to a labor market within which the participant does not currently reside. Criteria for receiving funds under this category include:

a reasonable determination is made that the participant cannot secure suitable employment within the labor market;

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documentation that the participant has obtained a bonafide employment offer; and
the occupation is related to vocational retraining received as a result of the program.

"Relocation Assistance" - The activities necessary to arrange for a family to move to a new abode for the purpose of accepting long-duration employment. Activities may include, but are not limited to: the cost of the actual transfer of goods and property, including mileage for the family's travel; emergency assistance; rent subsidies; and other supportive services.

"Residence" - An individual's principle dwelling or home.

"SDA Grant Recipient" - The entity that receives JTPA funds for a service delivery area (SDA). SDA grant recipients are particular types of grantees.

"Secretary" - The Secretary of the United States Department of Labor.

"Service Delivery Area" (SDA) - An area comprised of one or more units of general local government designated by the Governor to promote effective delivery of job training services under JTPA in accordance with Section 101 of the Act.

"Selective Service Registrant" - Any individual who must register, as required by Section 3 of the Military Selective Service Act (50 U.S.C. App. 453 (1982)).

"Service Providers" - Those individuals, corporations, partnerships, firms, organizations, associations or institutions that carry out activities pursuant to Sections 123, 124, 204, 252 and 303 314 of the JTPA or receive JTPA funds under the supportive services or training cost categories.

"Single Head of Household with Dependent Children" - A single, abandoned, separated, divorced or widowed individual who has responsibility for one or more dependent children under age 18.

"State" - The State of Illinois.

"State Plan" - The biennial plan for Title III activities in the State prepared by the Governor in accordance with Section 311 of the Act and 53 FR 41594-41595 to be codified at 20 CFR 631.36 (October 24, 1988, with no later amendments or editions).

"State Reserve Fund" - That portion of the State's formula

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allocated funds, allotted in accordance with Section 302 304(b) of P.L. 97-300 (as amended by P.L. 100-418), reserved to the Governor under Section 302(c)(1) for the uses described in that section set aside to be administered at the State-level to assist communities affected by plant closings or mass layoffs as they occur.

"Subgrant" - An agreement between a grantee or subgrantee and a State or local government or other organization whereby the grantee or subgrantee provides funds or aid to carry out specified program services and activities.

"Subgrantee" - An organization that receives funds and performs activities on behalf of a grantee of the Department of Commerce and Community Affairs.

"Subsidized Employment" - Employment created in the public sector and in private for profit or nonprofit organizations which is financed by the recipient's program funds. Subsidized employment includes work experience. (On-the-Job Training (OJT) is a reportable training activity, rather than subsidized employment.)

"Substantial Layoff" - Any reduction in force which is not the result of a plant closing and which results in an employment loss at a single site of employment during any 30-day period for:

At least 33 percent of the employees (excluding employees regularly working less than 20 hours per week); and

At least 50 employees (excluding employees regularly working less than 20 hours per week); or at least 500 employees excluding employees regularly working less than 20 hours per week).

"Substate Area" (SSA) - An area comprised of one or more existing Service Delivery Areas, designated by the Governor to promote the effective delivery of services to dislocated workers in accordance with Section 312(a) of the Act.

"Substate Grantee" - The entity which is designated, in accordance with the procedures described in Section 312(b) of the Act, as having the responsibility for providing the services described in Section 314(c), (d), and (e) of the Act pursuant to an agreement with the Governor and in accordance with the State plan and the substate plan.

"Substate Plan" - A Title III program plan for the substate areas prepared in accordance with Section 313 of the Act, the State plan, and such instructions as the Department may issue.

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"Summer Months" - The months of May through September.

"Teenage Parent" - Any individual, under 20 years of age, who has the responsibility for support of one or more dependent children.

"Terminal Leave Pay" - Severance pay or payment received in lieu of accrued benefits when an individual terminates employment.

"Termination" - The separation of a participant from a given title of the Act who is no longer receiving employment, training or services (except post-termination services) funded under that title. NOTE: Individuals may continue to be considered as participants for a period of 90 days after last receipt of employment or training funded under a given title.

"UC Claimant" - Any individual who has filed a claim and has been determined monetarily eligible for benefit payments under one or more State or Federal unemployment compensation (UC) programs, and who has not exhausted benefit rights or whose benefit year has not ended.

"UC Exhaustee" - Any individual who has exhausted his unemployment compensation benefits (not including Extended, Additional State, or Federal Supplemental Benefits) for which he has been determined monetarily eligible.

"Unsubsidized Employment" - Employment not financed from funds provided under the Act.

"Upgrading Training" - Training given to an individual who needs such training to advance above an entry-level or dead-end employment position.

"Veteran" - An individual who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

NOTE: The term "active" means full-time duty in the Armed Forces, other than duty for training in the reserves or National Guard. Any period of duty for training in the reserves or National Guard, including authorized travel, during which an individual was disabled from a disease or injury incurred or aggravated in the line of duty, is considered "active" duty.

Recently Separated Veteran - A veteran whose last date of discharge or release from the Armed Forces occurred within 12 months of the date of application.

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Disabled Veteran - A veteran

who is entitled to compensation under laws administered by the Veterans' Administration, or

an individual who was discharged or released from active duty because of a service-connected disability.

Vietnam-Era Veteran - A veteran any part of whose active military, naval, or air service was during the Vietnam Era (August 5, 1964 through May 7, 1975, per Presidential Proclamation 4373).

"Vocational Exploration Program (VEP)" - A program for the purpose of exposing individuals to the operation and types of jobs available in the private sector through observation of such jobs and instruction including, where appropriate, limited practical experience.

"Welfare Recipient" - An individual who receives or whose family receives cash payments under Aid to Families with Dependent Children (AFDC) (Social Security Act (SSA) Title IV) (42 U.S.C. 401 (1983)), General Assistance (State or local government), or the Refugee Act of 1980 (8 U.S.C. 1521-1525 (1983)). (For proposed performance standards purposes, this term excludes recipients of Supplementary Security Income (SSI) Title XVI of the Social Security Act (42 U.S.C. 1601, 1602 (1983)).

"Work Experience" - Work experience is a short-term or part-time, subsidized work assignment with an employing agency. Work experience is prohibited in the private-for-profit sector unless the individual employed is a youth aged 16 to 21 inclusive, who is economically disadvantaged as required by Section 141(k) of the Act and the employment is provided in accordance with Section 205(d)(3)(B) of the Act.

"Youth" - An individual who is aged 16 through 21. (Individuals aged 14 and 15 may participate in a "preemployment skills training program" for youth).

"Youth Competency System" -

A system of services to JTPA participants through age 21 which shall include: quantifiable learning objectives, related curricula/training modules, pre-and post-assessment, employability planning, documentation, and certification.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF EMERGENCY AMENDMENTS

The system shall assist the individual in becoming proficient, as defined by the PIC, in one or more of the following skill areas in which the trainee is deficient: pre-employment/work maturity, basic education, or job-specific skills.

"Youth Employability Enhancement Termination" - An outcome for youth, other than entered unsubsidized employment, which is recognized as enhancing long-term employability and contributing to the potential for long-term increase in earnings and employment. Outcomes which meet this requirement shall be restricted to the following:

Attained PIC-Recognized Youth Employment Competencies - A youth who, at termination, has demonstrated proficiency in the skill areas specified in the definition of "Youth Competency System" contained in this Section. Competency gains must be achieved through program participation and be tracked in accordance with the system of services specified in the definition of "Youth Competency System" contained in this Section.

Entered Non-Title II Training - A youth who, at termination, entered an employment/training program not funded under Title II of the JTPA.

Returned to Full-Time School - A youth who, at termination, returned to full-time school if, at the time of application, the participant was not attending school and had not obtained a high school diploma or equivalent.

Completed Major Level of Education - A youth who, at termination, had completed, during enrollment, a level of educational achievement which had not been reached at application. Levels of educational attainment are elementary, secondary, and post-secondary.

Completed Program Objectives - A 14-15 year old who, at termination, completed program objectives as specified in the local job training plan.

(Source: Emergency amendments at 13 Ill. Reg. 4028, effective March 13, 1989 for a maximum of 150 days)

Section 2600.30 Illinois Job Training Coordinating Council
EMERGENCY

The State Job Training Coordinating Council shall be established pursuant to Section 122 of the Act and the Illinois Job Training Coordinating Council Act

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF EMERGENCY AMENDMENTS

Public Act -83-1288, effective -August-31, -1984 (Ill. Rev. Stat. 1987 1984 Supp., ch. 48, pars. 2101 et seq., as amended by P.A. 85-1424, effective December 20, 1988).

a) Appointments to the State Council - Nominations for appointments and reappointments shall be solicited by the Department from local Private Industry Councils, chief elected officials, the current chairman of the Illinois Job Training Coordinating Council, State agencies, and other interested individuals and organizations. The qualifications of nominees shall be recorded by using a form prescribed by the Department and then forwarded to the Governor for selection.

b) Responsibilities of the State Council - The Illinois Job Training Coordinating Council shall perform duties as specified in Sections 122(b), 317, and 501 of the Act and Section 4 of the Illinois Job Training Coordinating Council Act Public Act -83-1288, effective -August-31, -1984 (Ill. Rev. Stat. 1984-Supp:7 ch. 48, par. 2104).

c) Support of State Council Activities - Funding for the Illinois Job Training Coordinating Council shall be provided pursuant to Section 202(b)(4) of the Act. Staffing for the Council shall be provided by the Department.

(Source: Emergency amendments at 13 Ill. Reg. 4028, effective March 13, 1989, for a maximum of 150 days)

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION BY
COMMERCE BANCSHARES, INC., KANSAS CITY,
MISSOURI, TO ACQUIRE FIRST BANKERS
TRUSTSHARES, INC., QUINCY, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1985, ch. 17, par. 2510.01(d)), as added by P.A. 84-1123, effective July 1, 1986) notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by Commerce Bancshares, Inc., 1000 Walnut Street, Kansas City, Missouri 64199 to acquire 21% of First Bankers Trustshares, Inc., 1201 Broadway, Quincy, Illinois 62305.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Dale R. Turner
Harold F. Boede
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of March 6, 1989 through March 10, 1989 and have been scheduled for review by the Committee at its April 5, 1989 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its April meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
4/20/89	Department of Employment Security, Disqualifying Income and Reduced Benefits (56 Ill. Adm. Code 2920)	12/30/88 12 Ill. Reg. 22295	April 5, 1989
4/20/89	Pollution Control Board, Management of Scrap Tires (35 Ill. Adm. Code 849)	10/7/88 12 Ill. Reg. 15828	April 5, 1989
4/24/89	Illinois Commerce Commission, Rail Carrier Contract Rates (92 Ill. Adm. Code 1595)	12/23/88 12 Ill. Reg. 20974	April 5, 1989
4/24/89	Illinois Commerce Commission, Rail Carrier Contract Rates; Repeal of (92 Ill. Adm. Code 1595)	12/23/88 12 Ill. Reg. 20978	April 5, 1989
4/24/89	Attorney General, Retail Advertising (14 Ill. Adm. Code 470)	9/30/88 12 Ill. Reg. 15239	April 5, 1989
4/24/89	Department of Public Health, Long-Term Care for Under Age 22 (77 Ill. Adm. Code 390)	12/23/88 12 Ill. Reg. 21064	April 5, 1989
4/24/89	Department of Rehabilitation Services, Grants and Contracts (89 Ill. Adm. Code 525)	9/9/88 12 Ill. Reg. 14117	April 5, 1989

PROCLAMATION
89-076

Pharmacy Day

WHEREAS, as a vital member of the health care team, a pharmacist contributes unique expertise regarding drugs and medicines that needs to be publicly acknowledged; and

WHEREAS, in Illinois, individuals who practice this profession in community and institutional settings are represented by the Illinois Pharmacists Association and Illinois Council of Hospital Pharmacists; and

WHEREAS, the associations and their members continually strive to uphold the standards and integrity of the profession by expanding their services to include patient education and consultation, and monitoring of drug therapies;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 10, 1989, as PHARMACY DAY in Illinois, to further the public's awareness of the role of pharmacists in the health care system.

Issued March 2, 1989. Filed March 13, 1989.

PROCLAMATION
89-077

Arts Education Week

WHEREAS, the Illinois State Board of Education and the Illinois Alliance for Arts Education, in cooperation with the Illinois Arts Council and the Chicago Coalition for Arts in Education, are sponsoring the seventh annual Arts Education Week March 13-19; and

WHEREAS, Arts Education Week is dedicated to the celebration and importance of music, theatre, dance/movement, literary, media and visual arts in the total education of all students; and

WHEREAS, the purposes of this celebration are to promote an awareness of arts in education; to encourage cooperative efforts among all arts organizations and schools; to provide students with opportunities to highlight their accomplishments in a variety of arts experiences; and to provide a forum to demonstrate support of arts education;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 13-19, 1989, as ARTS EDUCATION WEEK in Illinois, and urge all citizens to join in this celebration and to support the creative future of our youth.

Issued March 7, 1989. Filed March 13, 1989.

PROCLAMATION

89-078

Biomedical Equipment Technology Week

WHEREAS, modern health care relies upon machines as well as people for the most up-to-date treatment available. Diagnostic instruments such as patient monitors, EKG machines, and laboratory and x-ray equipment help establish the need for care. Therapeutic systems such as anesthesia machines, physical therapy instruments, pacemakers and radiation devices provide needed services to patients; and

WHEREAS, the cost of health care can be controlled by effective selection and repair of such medical equipment by qualified clinical engineers and biomedical technicians; and

WHEREAS, the clinical engineer has the level of education, experience and competence to participate professionally with physicians, hospital administration and other personnel in the technological aspects of health care delivery; and

WHEREAS, the biomedical technician installs, inspects, repairs, calibrates and modifies medical devices and medical support systems; advises concerning theory of operation, underlying physiological principles and the practical, safe clinical application of medical devices; and may supervise biomedical equipment maintenance activities;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 19-25, 1989, as BIOMEDICAL EQUIPMENT TECHNOLOGY WEEK in Illinois, in recognition of this profession and its important role in health care.

Issued March 7, 1989. Filed March 13, 1989.

PROCLAMATION

89-079

U. S. Savings Bond Month

WHEREAS, the United States Savings Bonds Program has been making significant contributions to the well-being of Americans for more than 40 years by helping to build savings for the future; and

WHEREAS, the program has helped the economy of this state by giving our citizens an extra reserve of buying power; and

WHEREAS, the people of this state have shown through their purchases of Savings Bonds that they believe in the purposes of the program;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 1989, as U.S. SAVINGS BOND MONTH in Illinois, and I urge all citizens to help themselves, their state, and their nation by purchasing United States Savings Bond.

Issued March 7, 1989. Filed March 13, 1989.

PROCLAMATION

89-080

Congratulates Top Ladies Of Distinction

WHEREAS, Top Ladies of Distinction (TLOD), Incorporated is composed of women dedicated to the well-being of all individuals and to the preservation of values significant to wholesome living; and

WHEREAS, founded in 1964 and presently 3,000 members strong, these women represent a melange of talents, skills and resources conceived under the inspiration of former First Lady, Mrs. Lyndon B. Johnson; and

WHEREAS, there are 83 chapters of TLOD, five of which are in the Chicago area; and

WHEREAS, with corporate and community support in sponsoring programs, TLOD provides assistance for youths' problems, including suicide, eating disorders, drug and alcohol abuse, and questions on sexuality; and

WHEREAS, on Friday, March 17, the North Shore Chapter of TLOD will sponsor a two-day "fireside" program entitled "Great Expectations" for 200-250 teens at the Woodfield Hilton in Arlington Heights;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, congratulate the TOP LADIES OF DISTINCTION on their 25th year of proud service to the citizens of our great state, and I wish them continued success in their future endeavors.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION

89-081

Earthquake Awareness Week

WHEREAS, earthquakes strike suddenly, without warning, and can destroy lives and property; and

WHEREAS, several active earthquake faults run through Illinois, and the Southern most portion of the state is in close proximity to the New Madrid fault; and

WHEREAS, the most powerful earthquake in the history of North America occurred along the New Madrid fault; and

WHEREAS, since 1975, 21 earthquakes were epicentered in Illinois, and in June 1987, a quake measuring 5.0 was centered under Lawrenceville; and

WHEREAS, the Illinois Emergency Services and Disaster Agency has worked for earthquake hazard reduction through public awareness, emergency preparedness, and mitigation;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1-7, 1989, as EARTHQUAKE AWARENESS WEEK. I strongly urge all Illinois residents to become familiar with the hazards of earthquakes and to develop earthquake preparedness plans so that damages, deaths and injuries from the effects of earthquakes can be minimized.

Issued March 8, 1989. Filed March 13, 1989.

ILLINOIS REGISTER

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PROCLAMATION
89-082
Home Center Week

WHEREAS, the home of the largest exposition of home center products in the world is Chicago; and

WHEREAS, the fourteenth annual National Home Center show of products and services for the \$72 billion home center/home improvement industry will have more exhibitors, more space and more visitors than ever before; and

WHEREAS, the growth of this business is a positive force in our state's economy; and

WHEREAS, the home center/home improvement industry provides a real service to the property owners of Illinois and the nation;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 12-18, 1989, as HOME CENTER WEEK in Illinois.

Issued March 8, 1989. Filed March 13, 1989.

ILLINOIS REGISTER

4064
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PROCLAMATION
89-083
Junior League Of Springfield Appreciation Week

WHEREAS, the Junior League of Springfield is one of 269 Junior Leagues throughout the world committed to promoting volunteerism and to improving the community through the effective action and leadership of trained volunteers; and

WHEREAS, the Junior League of Springfield reaches out to women of all races, religions, and national origins who demonstrate an interest in and commitment to volunteerism; and

WHEREAS, the Junior League of Springfield has 45 members-in-training, 190 members contributing required service, and 350 supporting members over the age of 45; and

WHEREAS, since 1939, the Junior League of Springfield has sponsored 101 projects to serve the Springfield community and has contributed more than one million hours of volunteer service and \$626,000 to the community through multiple projects;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 11-18, 1989, as JUNIOR LEAGUE OF SPRINGFIELD APPRECIATION WEEK in Illinois. I commend the organization for its 50 years of continued commitment and devotion to volunteerism.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION
89-084

Licensed Practical Nurse Week

WHEREAS, the maintenance of good health care is of primary concern to everyone; and

WHEREAS, the role of the licensed practical nurse (LPN) in caring for people's health needs has advanced in responsibility and complexity; and

WHEREAS, the Licensed Practical Nurse Association of Illinois (LPNAI) encourages the continuance of education to ensure competency among its members; and

WHEREAS, 1989 marks the 40th annual convention of the LPNAI, and it will be held at the Sheraton Inn, Springfield;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 17-21, 1989, as LICENSED PRACTICAL NURSE WEEK in Illinois, in recognition of these dedicated men and women.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION
89-085

POW-MIA Day

WHEREAS, many loyal and brave Americans who served in the wars of this nation were captured by the enemy or listed as missing in action; and

WHEREAS, American prisoners of war have often suffered unconscionable treatment despite international codes on the subject, and many have died as a result of cruel and inhuman acts by their enemy captors; and

WHEREAS, it is not known whether Americans missing in action are alive or dead, and the uncertainty has caused immeasurable suffering and hardship for their families; and

WHEREAS, it is fitting that we recognize the sacrifices of American prisoners of war and those missing in action;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 9, 1989, as POW-MIA DAY in Illinois, and call upon Illinoisans to observe the day with appropriate ceremonies and programs so that the memory of those brave Americans will not be lost.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION

89-086

Professional Social Work Month

PROCLAMATION

89-087

Rochelle Lee Fund Day

WHEREAS, social problems continue to impede our society's progress toward a productive and rewarding life for every citizen; and

WHEREAS, trained professional social workers are addressing our human problems directly and effectively in both crisis and everyday situations; and

WHEREAS, these professionals need the informed support of the community to continually maintain and improve the quality of social services to individuals and groups;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 1989 as PROFESSIONAL SOCIAL WORK MONTH in Illinois. I urge each citizen to support the National Association of Social Workers and the 85,000 social work professionals in Illinois in their efforts to advance the quality of life in our state.

Issued March 8, 1989. Filed March 13, 1989.

WHEREAS, the lack of emphasis on reading, both at home and in schools, is a chronic problem in our society today; and

WHEREAS, sufficiently developed reading skills are necessary for success in academics, social activities, and in obtaining employment; and

WHEREAS, Rochelle Lee, a teacher-librarian extraordinaire of the Chicago public school system for more than 20 years, has not only helped children develop the habit of reading, but also helped them to enjoy it; and

WHEREAS, through her many award-winning programs that actively involved schools, families and community members, Ms. Lee inspired countless numbers of children to make reading a life-long habit; and

WHEREAS, since her retirement, Ms. Lee's many friends established the "Rochelle Lee Fund to Make Reading a Part of Children's Lives," honoring her and hopefully encouraging others to continue her work;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 15, 1989, as ROCHELLE LEE FUND DAY in Illinois, and I commend this fine woman for her dedication to the cause of promoting literacy to our state's children.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION
89-088

School Psychology Week

WHEREAS, the Illinois School Psychologists Association strives to serve the psychological and educational needs of all children and youth in the state; and

WHEREAS, the association encourages and provides opportunities for the professional growth of individual members; and

WHEREAS, the association informs the public about the services and practice of psychology in schools and advances the standards of the profession of school psychology; and

WHEREAS, the Illinois School Psychologists Association includes approximately 1,000 school psychologists, university faculty, interns and students; and

WHEREAS, the Illinois School Psychologists Association will be holding its 10th Anniversary Conference celebrating "A Decade of Caring for Kids" March 16-18, 1989;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim March 13-20, 1989, as SCHOOL PSYCHOLOGY WEEK in Illinois in recognition of the 10 years the Illinois School Psychologists Association has dedicated itself to ensuring better educational opportunities for all students in Illinois.

Issued March 8, 1989. Filed March 13, 1989.

PROCLAMATION
89-089

Call Before You Dig Month

WHEREAS, each year in Illinois, many lives are endangered, money and time wasted, and property destroyed because people fail to have underground facilities located prior to digging, blasting, boring, or otherwise disturbing the earth's surface; and

WHEREAS, Illinois' notification services, Joint Utility Locating Information for Excavators (JULIE), which covers all Illinois except Chicago, and Chicago's Digger offer a free service to help the general public and professional excavators obtain information on the location of underground cables and mains; and

WHEREAS, since digging near underground facilities can be hazardous, JULIE and Digger agencies work to increase public awareness about the importance of calling before digging; and

WHEREAS, these educational efforts increase worker and public safety; prevent damage to underground facilities; and ensure the continuity of utility and communications services; and

WHEREAS, JULIE and Digger provide a convenient means for anyone involved in excavation--whether planning the work or actually doing the work--to ensure their personal safety and comply with Illinois common law regarding excavation;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim April 1989 as CALL BEFORE YOU DIG MONTH in Illinois.

Issued March 10, 1989. Filed March 13, 1989.

ACTION CODES	
JCAR - Joint Committee on Administrative Rules	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by JCAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

TITLE	PART	ACTION CODE	PAGE NUMBER	PREVIOUS VOLUME	PAGE NUMBER	ACTION CODE
8 Ill. Adm. Code 285	III. Grain Insurance Act (P-18048/85; A-6818)					

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240	Community Care Program (P-685)
89 Ill. Adm. Code 230	Older Americans Act Programs (P-14777/88; A-2015) (P-12137/88; A-3054)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255	Agricultural Facilities (P-2571)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-19153/88; A-3617)
8 Ill. Adm. Code 25	Animal Welfare Act (P-19164/88; A-3628)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-19172/88; A-3636)
8 Ill. Adm. Code 20	Definitions (P-19178/88; W-2166)
8 Ill. Adm. Code 85	Diseased Animals (P-19185/88; A-3642)
8 Ill. Adm. Code 700	Farmland Preservation Act (P-14786/88; A-285) (P-17139/88; A-3653)
68 Ill. Adm. Code 600	Grain Dealers (P-19795/88; A-3665)
8 Ill. Adm. Code 80	III. Bovine Tuberculosis Eradication Act (P-19196/88; A-3676)
8 Ill. Adm. Code 90	III. Dead Animal Disposal Act (P-19201/88; A-3681)
8 Ill. Adm. Code 115	III. Pseudorabies Control Act (P-19218/88; A-3685)
8 Ill. Adm. Code 230	III. Seed Law (P-3511) (E-4015)
68 Ill. Adm. Code 610	Livestock Dealer Licensing (P-19205/88; A-3690)
8 Ill. Adm. Code 125	Meat & Poultry Inspection Act (PP-228) (PP-2160) (P-19211/88; A-3696)
8 Ill. Adm. Code 505	Public Grain Warehouse & Warehouse Receipts Act (P-19806/88; A-3703)
8 Ill. Adm. Code 105	Swine Disease Control & Eradication Act (P-20309/88; A-3715)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 303	Use of a State Bank's Corporate Name in Identification & Communication (P-2889)
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CAPITAL DEVELOPMENT BOARD

44 Ill. Adm. Code 910	Procurement Practices (P-1917)
71 Ill. Adm. Code 40	Standards for Award of Grants Elementary & Secondary Schools Capital Assistance Program (P-1283)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 302	Ment & Fitness (P-1639) (P-15813/88; A-3722)
80 Ill. Adm. Code 310	Pay Plan (P-20584/88; RC-1254) (P-1296) (P-2892)
80 Ill. Adm. Code 2150	Service-Connected Days Benefit Administration (P-10285/88; A-2402)
80 Ill. Adm. Code 2650	Solicitation for Charitable Payroll Deductions (P-4871/88; O-1256; R-3411; A-3330)
80 Ill. Adm. Code 2110	State of Ill. Dependent Care Assistance Plan (P-1) (E-214)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 431	Confidentiality of Personal Information of Persons Served by the Department (P-11922/88; O-22457/88; R-2532; A-2407)
89 Ill. Adm. Code 310	Delivery of Youth Services Funded by the Department of Children & Family Services (P-11935/88; O-3412; RC-3414)
89 Ill. Adm. Code 437	Department of Children & Family Services Employee Conflict of Interest (P-13752/88; A-3339)
89 Ill. Adm. Code 357	Purchase of Service (P-13807/88; A-3344)
89 Ill. Adm. Code 300	Reports of Child Abuse & Neglect (P-11953/88; O-22472/88; R-2535; A-2419)

CIVIL SERVICE SYSTEM, STATE UNIVERSITIES

80 Ill. Adm. Code 250	State Universities Civil Service System (P-1921)
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COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF STATE

44 Ill. Adm. Code 530	Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2648)
2 Ill. Adm. Code 5025	Public Information, Rulemaking & Organization (AR-3742) (A-3747)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

56 Ill. Adm. Code 2625	Economic Dislocation & Worker Adjustment Assistance (P-3513) (E-4019)
47 Ill. Adm. Code 160	Emergency Shelter Grants Program (P-9271/88; A-2024)
14 Ill. Adm. Code 590	III. Large Business Development Program (P-15249/88; A-2028)
14 Ill. Adm. Code 570	III. Small Business Development Program (P-20714/87; A-58)
14 Ill. Adm. Code 620	Labor-Management Program (P-14797/88; A-1758)
56 Ill. Adm. Code 2600	Service Delivery System & State Responsibilities (P-3515) (E-4028)
47 Ill. Adm. Code 120	State Administration of the Federal Community Services Block Grant Program (P-8521/88; A-779) (P-1311)
47 Ill. Adm. Code 100	State Administration of the Federal Low-Income Home Energy Assistance Block Grant Program (P-1930)

COMMERCE COMMISSION, ILLINOIS

83 Ill. Adm. Code 435	Electric Utility Forecasting (G.O.215) (PR-3)
83 Ill. Adm. Code 281	Energy Assistance (P-1647)
92 Ill. Adm. Code 1205	Fees & Taxes (P-1665)
92 Ill. Adm. Code 1206	Investigation & Suspension of Rates (P-1671)
83 Ill. Adm. Code 440	Least-Cost Planning for Electric Utilities (P-3162/88; A-296)
92 Ill. Adm. Code 1225	Publication, Posting & Filing of Tariffs, Contracts, Schedules & Related Documents (P-1676)
92 Ill. Adm. Code 1710	Relocation Towing (P-10)
83 Ill. Adm. Code 595	Reports of Accidents or Incidents by Persons Engaged in the Transportation of Gas, or Who Own or Operate Gas Pipeline Facilities (P-16309/88; A-2036)
83 Ill. Adm. Code 505	Uniform System of Accounts for Gas Utilities (P-1686)

ILLINOIS REGISTER

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1989 CUMULATIVE INDEX

MARCH 24, 1989

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23 Ill. Adm. Code 1501 Administration of the Ill. Public Community College Act (P-16313/88; A-1182) (P-3517)

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17 Ill. Adm. Code 870 Aquaculture, Transportation, Stocking, Impartation &/or Possession of Aquatic Life (P-3213)

17 Ill. Adm. Code 2030 Designation of Restricted Waters in the State of Ill. (P-13820/88; A-20472/88; CC-967) (E-2878)

17 Ill. Adm. Code 730 Dove Hunting (P-2609)

17 Ill. Adm. Code 590 Duck, Goose & Coot Hunting (P-3221) (E-22244/88; O-3462)

17 Ill. Adm. Code 1590 Falconry & the Captive Propagation of Raptors (P-2622)

17 Ill. Adm. Code 930 Field Trials on Non-Department Owned or Managed Lands (P-3262)

17 Ill. Adm. Code 870 Fish Stocking, Impartation, &/or Possession of Aquatic Life (PR-3264)

17 Ill. Adm. Code 1560 Forest Fire Protection Districts Act (P-2626)

17 Ill. Adm. Code 510 General Hunting & Trapping on Department-Owned or -Managed Sites (P-3268)

17 Ill. Adm. Code 1050 Ill. List of Endangered & Threatened Flora (P-20335/88; A-3755)

17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-2632) (P-5087/88; A-12034/88; O-3468)

17 Ill. Adm. Code 220 North Point Marina (P-731)

17 Ill. Adm. Code 110 Public Use of State Parks & Other Properties of the Department of Conservation (P-20363/88; A-3785)

17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-3273)

17 Ill. Adm. Code 810 Sport Fishing Regs. for the Waters of Ill. (P-1690)

17 Ill. Adm. Code 690 Squirrel Hunting (P-2641)

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2 Ill. Adm. Code 850 Public Information, Rulemaking & Organization (A-1510)

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cc = codification changes	C = Correction
n = new Section	CC = Codification Changes
r = repeal of existing Section	E = Emergency rule
rc = reclassified	F = Failure to Remedy
# = renumbered	Objections
	M = Modification
	O = JCAR Objection
	P = Proposed rule
	PP = Prohibited Filing
	PP = Peremptory rule
	R = Refusal to Modify or Withdraw
	RC = JCAR Recommendation
	S = Suspended rule
	W = Withdrawal of Proposed rule

TITLE 2			TITLE 3 (CONT'D)		
850.15	n	(A-1510)	255.80	n	(P-2571)
850.20	am	(A-1510)	255.90	n	(P-2571)
850.30	am	(A-1510)	255.100	n	(P-2571)
850.110	am	(A-1510)	255.110	n	(P-2571)
850.120	am	(A-1510)	255.120	n	(P-2571)
850.130	am	(A-1510)	255.130	n	(P-2571)
850.205	n	(A-1510)	255.140	n	(P-2571)
850.210	am	(A-1510)	255.150	n	(P-2571)
850.220	am	(A-1510)	255.160	n	(P-2571)
850.230	am	(A-1510)	255.170	n	(P-2571)
850.240	am	(A-1510)	700.Ap. F	am	(P-2598)
850.Tb. A	am	(A-1510)	700.Ap. I	am	(P-14786/88; A-285)
850.Tb. B	am	(A-1510)	1400.147	am	(P-5545/88; A-2440)
850.Tb. C	am	(A-1510)	1400.149	am	(P-5545/88; A-2440)
850.Tb. D	am	(A-1510)			
850.Tb. E	am	(A-1510)			
850.Tb. G	am	(A-1510)			
850.Tb. H	am	(A-1510)			
TITLE 3			TITLE 11		
20.1	am	(P-19178/88; W-2166)	208.10	n	(P-13926/88; O-20234/88; R-1250; M-1250; A-1232)
125.10	am	(PP-228)	208.20	n	(P-13926/88; O-20234/88; R-1250; A-1232)
125.260	am	(PP-228)	208.30	n	(P-13926/88; O-20234/88; R-1250; A-1232)
125.270	am	(PP-228)	208.40	n	(P-13926/88; O-20234/88; R-1250; A-1232)
125.305	am	(PP-2160)	208.100	n	(P-13926/88; O-20234/88; R-1250; A-1232)
255.10	n	(P-2571)	208.110	n	(P-13926/88; O-20234/88; R-1250; A-1232)
255.20	n	(P-2571)	208.120	n	(P-13926/88; O-20234/88; R-1250; A-1232)
255.30	n	(P-2571)	417.30	am	(E-1899; P-1979)
255.50	n	(P-2571)	417.35	am	(E-1890; P-1976)
255.70	n	(P-2571)			

TITLE II (CONT'D)		TITLE 14 (CONT'D)	
417.100	n (P-1899) (P-1979)	620.70	am (P-14797/88; A-1758)
422.20	n (P-13922/88; A-1558)	620.80	am (P-14797/88; A-1758)
437.10	n (P-1099)	620.90	am (P-14797/88; A-1758)
437.20	n (P-1099)		
437.30	n (P-1099)		
437.40	n (P-1099)		
437.50	n (P-17755/88; A-1562)		
502.120	am (P-17755/88; A-1562)		
503.600	am (P-17766/88; O-1268; R-2167; A-2156)		
1308.20	am (P-17766/88; O-1268; R-2167; A-2156)		
1308.30	n (P-17766/88; O-1268; R-2167; A-2156)		
1308.40	n (P-17766/88; O-1268; R-2167; A-2156)		
1409.120	am (P-17761/88; O-1266; R-1906; A-1841)		
1409.130	am (P-17761/88; O-1266; R-1906; A-1841)		
1409.132	r (P-17761/88; A-1841)		
1410.10	am (P-4345/88; A-1846)		
1410.15	r (P-4345/88; A-1846)		
1770.10	n (P-10298/88; O-3419)		
1770.20	n (P-10298/88; O-3419)		
1770.30	n (P-10298/88; O-3419)		
1770.40	n (P-10298/88; O-3419)		
1770.50	n (P-10298/88; O-3419)		
1770.60	n (P-10298/88; O-3419)		
1770.70	n (P-10298/88; O-3419)		
1770.80	n (P-10298/88; O-3419)		
1770.90	n (P-10298/88; O-3419)		
1770.100	n (P-10298/88; O-3419)		
1770.110	n (P-10298/88; O-3419)		
1770.120	n (P-10298/88; O-3419)		
1770.130	n (P-10298/88; O-3419)		
1770.140	n (P-10298/88; O-3419)		
1770.150	n (P-10298/88; O-3419)		
1770.160	n (P-10298/88; O-3419)		
1770.170	n (P-10298/88; O-3419)		
1770.180	n (P-10298/88; O-3419)		
1770.190	n (P-10298/88; O-3419)		
1770.200	n (P-10298/88; O-3419)		
TITLE 14		TITLE 17	
570.30	am (P-20714/87; A-58)	220.10	n (P-731)
590.10	am (P-15249/88; A-2028)	220.20	n (P-731)
590.30	am (P-15249/88; A-2028)	220.30	n (P-731)
590.81	n (P-15249/88; A-2028)	220.40	n (P-731)
590.90	n (P-15249/88; A-2028)	220.50	n (P-731)
590.91	n (P-15249/88; A-2028)	220.60	n (P-731)
590.92	n (P-15249/88; A-2028)	220.70	n (P-731)
590.93	n (P-15249/88; A-2028)	220.80	n (P-731)
620.10	am (P-14797/88; A-1758)	220.90	n (P-731)
620.30	am (P-14797/88; A-1758)	510.10	am (P-3268)
620.40	am (P-14797/88; A-1758)	550.30	am (P-3273)
620.50	am (P-14797/88; A-1758)	570.40	am (P-5087/88; A-12034/88; O-3468)
620.60	am (P-14797/88; A-1758)	570.20	am (P-2632)
		570.30	am (P-2632)
		570.40	am (P-2632)
		570.50	am (P-2632)
		570.60	am (P-2632)
		570.70	am (P-2632)
		570.80	am (P-2632)
		570.90	am (P-2632)
		570.100	am (P-2632)
		570.110	am (P-2632)
		570.120	am (P-2632)
		570.130	am (P-2632)
		570.140	am (P-2632)
		570.150	am (P-2632)
		570.160	am (P-2632)
		570.170	am (P-2632)
		570.180	am (P-2632)
		570.190	am (P-2632)
		570.200	am (P-2632)
		570.210	am (P-2632)
		570.220	am (P-2632)
		570.230	am (P-2632)
		570.240	am (P-2632)
		570.250	am (P-2632)
		570.260	am (P-2632)
		570.270	am (P-2632)
		570.280	am (P-2632)
		570.290	am (P-2632)
		570.300	am (P-2632)
		570.310	am (P-2632)
		570.320	am (P-2632)</

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107170	n	n	(P-1706488; A-1856)
1295 10	n	n	(P-1706488; A-1856)
1295 20	n	n	(P-1706488; A-1856)
1295 30	n	n	(P-1706488; RC-1270; A-1856)
1295 40	n	n	(P-1706488; RC-1270; A-1856)
1295 50	n	n	(P-1706488; RC-1270; A-1856)
1295 60	n	n	(P-1706488; RC-1270; A-1856)
1295 70	n	n	(P-1706488; RC-1270; A-1856)
1295 80	n	n	(P-1706488; A-1856)
1520 10	am	am	(P-1317) (E-1605)
1520 46			(P-1317) (E-1605)
1520 50	am	am	(P-1317) (E-1605)
1610 70	am	am	(P-477488; A-3063)

TITLE 23	n	(P-19266/88; O-3416)
120.130	am	(P-12747/88; A-1535)
230.10	am	(P-12747/88; A-1535)
230.30	am	(P-12747/88; A-1535)
230.60	am	(P-12747/88; A-1535)
275.90	am	(P-12745/88; A-1532)
500.20	am	(P-1730)
500.50	am	(P-1730)
500.120	n	(P-1730)
1501.509	am	(P-16313/88; A-1182)
1720.140	r	(P-15047/88; A-2872)
1720.46	r	(P-15047/88; A-2872)
2310.80	am	(P-1319)
3030.60	r	(P-12180/88; A-1244)
3030.105	am	(P-12180/88; A-1244)
3300.10	n	(P-14809/88; O-3440)
3300.20	n	(P-14809/88; O-3440)
3300.30	n	(P-14809/88; O-3440)
3300.40	n	(P-14809/88; O-3440)
3300.50	n	(P-14809/88; O-3440)
3300.60	n	(P-14809/88; O-3440)
3300.70	n	(P-14809/88; O-3440)
3300.80	n	(P-14809/88; O-3440)

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430.10	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.15	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.20	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.20	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.30	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.30	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.40	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.40	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.50	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.50	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.60	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.60	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.70	(P-17587;88; A-2049)	r	(P-17587;88; A-2049)	n
430.70	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n
430.80	(P-17575;68; A-2040)	r	(P-17575;68; A-2040)	n

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360.50 ann (P-13859/88; A-803)
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410.40 ann (P-13841/88; A-342)
410.50 ann (P-13841/88; A-342)
410.60 ann (P-13841/88; A-342)
410.70 ann (P-13841/88; A-342)
410.80 ann (P-13841/88; A-342)
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410.II.B n (P-13841/88; A-342)

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201.281	am	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.401	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.402	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.403	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.404	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.405	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.406	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.407	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
201.408	n	(P-5154/88; O-29221/88; R-1624; A-2066)	
211.101	am	(P-19296/88; W-2537)	
211.102	am	(P-19296/88; W-2537)	
243.108	am	(P-19290/88; W-2536)	
243.120	n	(P-19290/88; W-2536)	
251.103	am	(E-955)	
251.201	am	(E-955)	
251.202	n	(E-955)	
251.203	am	(E-955)	
251.208	am	(E-955)	
251.210	am	(E-955)	
251.212	r	(E-955)	

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251.301	am	(E-955)
304.220	n	(P-11397/88; A-2060)
304.302	n	(P-11669/88; A-851)
307.1508	am	(P-16396/88; A-1794)
307.1704	am	(P-16396/88; A-1794)
307.2101	am	(P-16396/88; A-1794)
307.2903	am	(P-16396/88; A-1794)
307.3110	am	(P-16396/88; A-1794)
307.3129	am	(P-16396/88; A-1794)
307.3500	am	(P-16396/88; A-1794)
307.3501	am	(P-16396/88; A-1794)
307.3503	am	(P-16396/88; A-1794)
307.3509	am	(P-16396/88; A-1794)
307.3590	am	(P-16396/88; A-1794)
307.4004	am	(P-16396/88; A-1794)
307.8100	am	(P-16396/88; A-1794)
310.107	am	(P-16384/88; A-2463)
310.110	am	(P-16384/88; A-2463)
378.101	n	(P-12753/88; A-1190)
378.102	n	(P-12753/88; A-1190)
378.103	n	(P-12753/88; A-1190)
378.201	n	(P-12753/88; A-1190)
378.202	n	(P-12753/88; A-1190)
378.203	n	(P-12753/88; A-1190)
378.204	n	(P-12753/88; A-1190)
378.301	n	(P-12753/88; A-1190)
378.302	n	(P-12753/88; A-1190)
378.303	n	(P-12753/88; A-1190)
378.304	n	(P-12753/88; A-1190)
378.305	n	(P-12753/88; A-1190)
378.306	n	(P-12753/88; A-1190)
378.307	n	(P-12753/88; A-1190)
378.308	n	(P-12753/88; A-1190)
378.309	n	(P-12753/88; A-1190)
378.310	n	(P-12753/88; A-1190)
378.311	n	(P-12753/88; A-1190)
378.312	n	(P-12753/88; A-1190)
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378.314	n	(P-12753/88; A-1190)
378.315	n	(P-12753/88; A-1190)
378.316	n	(P-12753/88; A-1190)
378.317	n	(P-12753/88; A-1190)
378.318	n	(P-12753/88; A-1190)
378.319	n	(P-12753/88; A-1190)
378.320	n	(P-12753/88; A-1190)
378.321	n	(P-12753/88; A-1190)
378.322	n	(P-12753/88; A-1190)
378.323	n	(P-12753/88; A-1190)
378.324	n	(P-12753/88; A-1190)
378.325	n	(P-12753/88; A-1190)
378.326	n	(P-12753/88; A-1190)
378.327	n	(P-12753/88; A-1190)
378.328	n	(P-12753/88; A-1190)
378.329	n	(P-12753/88; A-1190)
378.330	n	(P-12753/88; A-1190)
378.331	n	(P-12753/88; A-1190)
378.332	n	(P-12753/88; A-1190)
378.333	n	(P-12753/88; A-1190)
378.334	n	(P-12753/88; A-1190)
378.335	n	(P-12753/88; A-1190)
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378.342	n	(P-12753/88; A-1190)
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378.345	n	(P-12753/88; A-1190)
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378.347	n	(P-12753/88; A-1190)
378.348	n	(P-12753/88; A-1190)
378.349	n	(P-12753/88; A-1190)
378.350	n	(P-12753/88; A-1190)
378.351	n	(P-12753/88; A-1190)
378.352	n	(P-12753/88; A-1190)
378.353	n	(P-12753/88; A-1190)
378.354	n	(P-12753/88; A-1190)
378.355	n	(P-12753/88; A-1190)
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378.357	n	(P-12753/88

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190.140	am	(P-14097/88; O-22489/88; R-966)
190.160	am	(P-14097/88; O-22489/88; R-966)
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525.710 am (P-2709)
525.720 am (P-2709)
526.10 n (P-2746)
526.20 n (P-2746)
526.30 n (P-2746)
526.40 n (P-2746)
526.50 n (P-2746)
526.60 n (P-2746)
526.70 n (P-2746)
530.5 r (P-2648)
530.10 am (P-2648)
530.20 am (P-2648)
530.50 n (P-2648)
530.60 n (P-2648)
530.70 # (P-2648)
530.70 am (P-2648)
530.100 am (P-2648)
530.110 am (P-2648)
530.200 # (P-2648)
530.300 am (P-2648)
530.310 r (P-2648)
530.320 am (P-2648)
530.330 am (P-2648)
530.340 am (P-2648)
530.350 am (P-2648)
530.400 am (P-2648)
530.410 am (P-2648)
530.500 am (P-2648)
530.510 am (P-2648)
530.520 am (P-2648)
530.530 am (P-2648)
530.540 n (P-2648)
530.600 am (P-2648)
530.610 am (P-2648)
530.620 am (P-2648)
530.630 am (P-2648)
530.640 am (P-2648)
530.650 am (P-2648)
530.660 am (P-2648)
530.670 am (P-2648)
530.700 am (P-2648)
530.710 am (P-2648)
530.720 am (P-2648)
535.5 r (P-2766)
535.10 am (P-2766)
535.20 am (P-2766)
535.30 n (P-2766)
535.60 n (P-2766)

TITLE 44 (CONT'D)

535.70 # (P-2766)
535.70 am (P-2766)
535.100 am (P-2766)
535.110 am (P-2766)
535.200 # (P-2766)
535.300 am (P-2766)
535.310 r (P-2766)
535.320 am (P-2766)
535.330 am (P-2766)
535.340 am (P-2766)
535.350 am (P-2766)
535.400 am (P-2766)
535.410 am (P-2766)
535.500 am (P-2766)
535.510 am (P-2766)
535.520 am (P-2766)
535.530 am (P-2766)
535.540 n (P-2766)
535.600 am (P-2766)
535.610 am (P-2766)
535.620 am (P-2766)
535.630 am (P-2766)
535.640 am (P-2766)
535.650 am (P-2766)
535.660 am (P-2766)
535.670 am (P-2766)
535.700 am (P-2766)
535.710 am (P-2766)
535.720 am (P-2766)
540.5 r (P-2764)
540.10 am (P-2764)
540.20 am (P-2764)
540.50 n (P-2764)
540.60 n (P-2764)
540.70 # (P-2764)
540.70 am (P-2764)
540.100 am (P-2764)
540.110 am (P-2764)
540.200 # (P-2764)
540.300 am (P-2764)
540.310 r (P-2764)
540.320 am (P-2764)
540.330 am (P-2764)
540.340 am (P-2764)
540.350 am (P-2764)
540.400 am (P-2764)
540.410 am (P-2764)
540.500 am (P-2764)
540.510 am (P-2764)
540.520 am (P-2764)
540.530 am (P-2764)
540.540 n (P-2764)
540.600 am (P-2764)
540.610 am (P-2764)
540.620 am (P-2764)
540.630 am (P-2764)

TITLE 44 (CONT'D)

540.640 am (P-2764)
540.650 am (P-2764)
540.660 am (P-2764)
540.670 am (P-2764)
540.700 am (P-2764)
540.710 am (P-2764)
540.720 am (P-2764)
910.130 am (P-1917)
4400.25 n (P-44)

TITLE 47
100.70 am (P-1930)
100.85 am (P-1930)
100.90 am (P-1930)
100.110 am (P-1930)
100.120 am (P-1930)
120.80 am (P-1311)
120.100 am (P-1311)
120.110 am (P-8521/88; A-779)
120.115 n (P-8521/88; A-779)
160.80 am (P-9271/88; A-2024)

TITLE 50
201.20 am (P-2909)
201.30 am (P-2909)
201.50 am (P-2909)
201.60 am (P-2909)
301.30 am (P-2901)
301.60 am (P-2901)
301.70 am (P-2901)
401.30 am (P-2905)
401.60 am (P-2905)
401.70 am (P-2905)
601.10 n (P-11985/88; A-2051)
601.20 n (P-11985/88; A-2051)
601.30 n (P-11985/88; A-2051)
601.40 n (P-11985/88; A-2051)
601.50 n (P-11985/88; A-2051)
601.60 n (P-11985/88; A-2051)
601.70 n (P-11985/88; A-2051)
601.80 n (P-11985/88; A-2051)
601.90 n (P-11985/88; A-2051)
601.100 n (P-11985/88; A-2051)
601.110 n (P-11985/88; A-2051)
601.120 n (P-11985/88; A-2051)
601.130 n (P-11985/88; A-2051)
601.140 n (P-11985/88; A-2051)
754.Ex. B
919.10 am (P-13535/88; C-17456/88; A-1204)
919.20 am (P-13535/88; C-17456/88; A-1204)
919.30 am (P-13535/88; C-17456/88; A-1204)
919.40 am (P-13535/88; C-17456/88; A-1204)
919.50 am (P-13535/88; C-17456/88; A-1204)
919.60 am (P-13535/88; C-17456/88; A-1204)
919.70 am (P-13535/88; C-17456/88; A-1204)
919.80 am (P-13535/88; C-17456/88; A-1204)

TITLE 50 (CONT'D)			TITLE 68 (CONT'D)			TITLE 71 (CONT'D)			TITLE 77 (CONT'D)		
919.90	am	(P-1353/88; C-17456/88; A-1204)	1280.40	r	(P-8536/88; A-513)	1510.110	n	(P-14813/88; O-3442)	380.470	n	(P-987)
919.91	Ex. A	(P-13535/88; C-17456/88; A-1204)	1280.50	r	(P-8536/88; A-513)	1510.120	n	(P-14813/88; O-3442)	380.480	n	(P-987)
2008.10	am	(P-251) (E-586; O-3471)	1280.55	r	(P-8536/88; A-513)	1510.130	n	(P-14813/88; O-3442)	380.490	n	(P-987)
2008.20	am	(P-251) (E-586; O-3471)	1280.60	r	(P-8536/88; A-513)	1510.140	n	(P-14813/88; O-3442)	380.495	n	(P-987)
2008.30	am	(P-251) (E-586; O-3471)	1280.70	r	(P-8536/88; A-513)	1510.150	n	(P-14813/88; O-3442)	380.500	n	(P-987)
2008.40	am	(P-251) (E-586; O-3471)	1280.80	r	(P-8536/88; A-513)	1510.200	n	(P-14813/88; O-3442)	380.510	n	(P-987)
2008.50	am	(P-251) (E-586; O-3471)	1280.85	r	(P-8536/88; A-513)	1510.210	n	(P-14813/88; O-3442)	380.520	n	(P-987)
2008.60	am	(P-251) (E-586)	1280.105	r	(P-8536/88; A-513)	1510.220	n	(P-14813/88; O-3442)	380.530	n	(P-987)
2008.70	am	(P-251) (E-586)	1280.107	r	(P-8536/88; A-513)	1510.300	n	(P-14813/88; O-3442)	380.540	n	(P-937)
2008.71	n	(P-251) (E-586)	1280.110	r	(P-8536/88; A-513)	1510.310	n	(P-14813/88; O-3442)	380.550	n	(P-987)
2008.80	am	(P-251) (E-586; O-3471)	1285.20	am	(P-274) (E-651; O-3475)	1510.320	n	(P-14813/88; O-3442)	380.560	n	(P-987)
2008.81	n	(P-251) (E-586)	1285.20	n	(P-8571/88; A-483)	1510.330	n	(P-14813/88; O-3442)	380.570	n	(P-987)
2008.82	n	(P-251) (E-586)	1285.30	n	(P-8571/88; A-483)	1510.340	n	(P-14813/88; O-3442)	380.580	n	(P-987)
2008.90	am	(P-251) (E-586; O-3471)	1285.40	n	(P-8571/88; A-483)	1510.350	n	(P-14813/88; O-3442)	380.590	n	(P-987)
2008.Ap. A	am	(P-251) (E-586; O-3471)	1285.50	am	(P-274) (E-651)	1510.Ap. A	n	(P-14813/88; O-3442)	380.600	n	(P-987)
2008.Ap. B	am	(P-251) (E-586; O-3471)	1285.60	n	(P-8571/88; A-483)	1510.Ap. B	n	(P-14813/88; O-3442)	380.610	n	(P-987)
2008.Ap. C	am	(P-251) (E-586; O-3471)	1285.70	am	(P-274) (E-651)	380.620	n	(P-987)	380.620	n	(P-987)
2008.Ap. E	n	(P-251) (E-586; O-3471)	1285.80	n	(P-8571/88; A-483)	380.100	n	(P-987)	380.630	n	(P-987)
2008.Ap. F	n	(P-251) (E-586; O-3471)	1285.90	am	(P-274) (E-651)	380.110	n	(P-987)	380.640	n	(P-987)
2008.Ap. G	n	(P-251) (E-586; O-3471)	1285.95	n	(P-8571/88; A-483)	380.115	n	(P-987)	380.650	n	(P-987)
2502.10	r	(P-2234)	1285.100	n	(P-274) (E-651)	380.120	n	(P-987)	380.660	n	(P-987)
2502.20	r	(P-2234)	1285.110	n	(P-8571/88; A-483)	380.130	n	(P-987)	380.670	n	(P-987)
6301.Ex. A	am	(P-14502/88; A-1780)	1285.120	n	(P-8571/88; A-483)	380.140	n	(P-987)	380.680	n	(P-987)
TITLE 56			1285.130	n	(P-8571/88; A-483)	380.150	n	(P-987)	380.690	n	(P-987)
2090.105	am	(P-17)	1285.140	n	(P-8571/88; A-483)	380.160	n	(P-987)	380.700	n	(P-987)
2712.201	n	(P-15257/88; O-22482/88; R-965; A-795)	1360.70	am	(P-14963/88; O-3450; RC-3452)	380.170	n	(P-987)	380.710	n	(P-987)
2712.202	n	(P-15257/88; O-22482/88; R-965; A-795)	1360.75	am	(P-14963/88; O-3450; RC-3452)	380.180	n	(P-987)	380.720	n	(P-987)
2712.203	n	(P-15257/88; O-22482/88; R-965; A-795)	1400.10	r	(P-2913)	380.190	n	(P-987)	380.730	n	(P-987)
2712.205	n	(P-15257/88; O-22482/88; R-965; A-795)	1400.20	am	(E-2519)	380.200	n	(P-987)	380.740	n	(P-987)
2712.207	n	(P-15257/88; O-22482/88; R-965; A-795)	1400.30	am	(E-2519)	380.210	n	(P-987)	380.750	n	(P-987)
2712.210	n	(P-15257/88; O-22482/88; R-965; A-795)	1400.40	am	(E-2519)	380.220	n	(P-987)	380.760	n	(P-987)
2732.210	n	(P-1945)	1400.50	am	(P-2913)	380.230	n	(P-987)	380.770	n	(P-987)
2765.205	n	(P-752)	1400.60	am	(E-2519)	380.240	n	(P-987)	380.780	n	(P-987)
2770.105	am	(P-743)	1400.65	am	(P-2913)	380.250	n	(P-987)	380.790	n	(P-987)
2905.1	am	(P-2229)	1400.70	am	(P-2913)	380.260	n	(P-987)	380.800	n	(P-987)
2905.15	am	(P-2229)	1400.80	am	(P-2913)	380.270	n	(P-987)	380.810	n	(P-987)
2905.25	r	(P-2229)	1400.90	am	(P-2913)	380.280	n	(P-987)	380.820	n	(P-987)
2905.40	n	(P-2229)	1465.10	n	(P-1388) (E-1616)	380.290	n	(P-987)	380.830	n	(P-987)
TITLE 62			1465.20	n	(P-1388) (E-1616)	380.300	n	(P-987)	380.840	n	(P-987)
220.10	am	(P-23)	1465.30	n	(P-1388) (E-1616)	380.310	n	(P-987)	380.850	n	(P-987)
220.80	am	(P-23)	1465.40	n	(P-1388) (E-1616)	380.320	n	(P-987)	380.860	n	(P-987)
220.160	am	(P-756)	1465.50	n	(P-1388) (E-1616)	380.330	n	(P-987)	380.870	n	(P-987)
TITLE 68			1465.60	n	(P-1388) (E-1616)	380.340	n	(P-987)	380.880	n	(P-987)
1220.530	n	(P-3867/88; O-3444; RC-3447)	1465.70	n	(P-1388)	380.350	n	(P-987)	380.890	n	(P-987)
1280.10	r	(P-8536/88; A-513)	1465.90	n	(P-1388)	380.360	n	(P-987)	380.900	n	(P-987)
1280.20	r	(P-8536/88; A-513)	TITLE 71			380.370	n	(P-987)	380.910	n	(P-987)
1280.30	r	(P-8536/88; A-513)	40.130	am	(P-1283)	380.380	n	(P-987)	450.05	am	(P-2249)
			1510.100	n	(P-14813/88; O-3442)	380.390	n	(P-987)	450.10	am	(P-2249)
						380.400	n	(P-987)	450.20	am	(P-2249)
						380.410	n	(P-987)	450.30	am	(P-2249)
						380.420	n	(P-987)	450.35	n	(P-2249)
						380.430	n	(P-987)	450.40	n	(P-2249)
						380.440	n	(P-987)	450.50	n	(P-2249)
						380.450	n	(P-987)	450.210	am	(P-2249)
									450.220	am	(P-2249)
									450.230	am	(P-2249)

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
450.310	am	(P-2249)	490.330	n	(P-2974)	725.80	n	(P-1272/88; A-2502)
450.320	am	(P-2249)	490.410	n	(P-2974)	750.10	am	(P-1411/88; A-1819)
450.330	am	(P-2249)	490.420	n	(P-2974)	750.140	am	(P-1411/88; A-1819)
450.410	am	(P-2249)	490.430	n	(P-2974)	760.20	am	(P-1411/88; A-1830)
450.420	am	(P-2249)	490.440	n	(P-2974)	760.150	am	(P-1411/88; A-1830)
450.430	am	(P-2249)	490.510	n	(P-2974)	790.420	am	(P-3015) (E-3108)
450.440	am	(P-2249)	490.520	n	(P-2974)	790.460	am	(P-1299/88; P-16425/88; A-856)
450.450	am	(P-2249)	490.610	n	(P-2974)	790.500	am	(P-3015) (E-3108)
450.510	am	(P-2249)	490.620	n	(P-2974)	790.540	am	(P-1299/88; P-16425/88; A-856)
450.520	am	(P-2249)	490.710	n	(P-2974)	790.580	am	(P-3015) (E-3108)
450.530	r	(P-2249)	490.720	n	(P-2974)	790.600	am	(P-16425/88; A-856)
450.540	r	(P-2249)	490.730	n	(P-2974)	790.620	am	(P-16425/88; A-856)
450.550	r	(P-2249)	490.740	n	(P-2974)	790.630	am	(P-3015) (E-3108)
450.560	r	(P-2249)	490.750	n	(P-2974)	790.660	am	(P-1299/88; A-856)
450.570	r	(P-2249)	490.760	n	(P-2974)	790.699	n	(P-1299/88; A-856)
450.610	am	(P-2249)	490.770	n	(P-2974)	790.799	am	(P-16425/88; A-856)
450.710	am	(P-2249)	490.780	n	(P-2974)	790.860	am	(P-16425/88; A-856)
450.720	am	(P-2249)	490.810	n	(P-2974)	790.900	am	(P-3015) (E-3108)
450.730	am	(P-2249)	490.820	n	(P-2974)	790.905	am	(P-16425/88; A-856)
450.810	r	(P-2249)	490.830	n	(P-2974)	790.910	am	(P-1299/88; A-856)
450.820	r	(P-2249)	490.840	n	(P-2974)	790.940	am	(P-1299/88; A-856)
450.830	r	(P-2249)	490.910	n	(P-2974)	790.974	am	(P-16425/88; A-856)
450.840	r	(P-2249)	542.10	n	(P-4544/88; A-3086)	790.980	am	(P-3015) (E-3108)
450.850	r	(P-2249)	542.20	n	(P-4544/88; A-3086)	790.1060	am	(P-1299/88; A-856)
450.860	r	(P-2249)	542.30	n	(P-4544/88; A-3086)	790.1100	r	(P-16425/88; A-856)
450.870	r	(P-2249)	542.40	n	(P-4544/88; A-3086)	790.1125	am	(P-16425/88; A-856)
450.920	am	(P-2249)	542.50	n	(P-4544/88; A-3086)	790.1127	am	(P-3015) (E-3108)
450.930	am	(P-2249)	542.60	n	(P-4544/88; A-3086)	790.1127	n	(P-16425/88; A-856)
450.940	am	(P-2249)	542.70	n	(P-4544/88; A-3086)	790.1129	n	(P-16425/88; A-856)
450.950	am	(P-2249)	542.80	n	(P-4544/88; A-3086)	790.1129	am	(P-3015) (E-3108)
450.1010	am	(P-2249)	542.90	n	(P-4544/88; A-3086)	790.1131	n	(P-16425/88; A-856)
450.1110	am	(P-2249)	542.100	n	(P-4544/88; A-3086)	790.1131	am	(P-3015) (E-3108)
450.1120	am	(P-2249)	725.5	r	(P-7265/88; A-2517)	790.1200	am	(P-3015) (E-3108)
450.1130	am	(P-2249)	725.10	r	(P-7265/88; A-2517)	790.1300	am	(P-16425/88; A-856) (P-3015)
450.1140	am	(P-2249)	725.10	n	(P-7272/88; A-2502)	790.1345	am	(P-16425/88; A-856)
450.1150	am	(P-2249)	725.15	n	(P-7272/88; A-2502)	790.1440	n	(P-16425/88; A-856)
450.1155	am	(P-2249)	725.20	n	(P-7272/88; A-2502)	790.1460	am	(P-16425/88; A-856)
450.1200	am	(P-2249)	725.30	r	(P-7272/88; A-2502)	790.1560	n	(P-1299/88; P-16425/88; A-856)
450.1300	n	(P-2249)	725.40	r	(P-7265/88; A-2517)	790.1570	n	(P-16425/88; A-856)
450.1310	n	(P-2249)	725.40	n	(P-7272/88; A-2502)	790.1570	am	(P-3015) (E-3108)
450.1320	n	(P-2249)	725.41	n	(P-7272/88; A-2502)	790.1577	am	(P-16425/88; A-856) (P-3015)
450.1330	n	(P-2249)	725.42	n	(P-7272/88; A-2502)	790.1620	am	(P-1299/88; A-856)
450.1330	n	(P-2249)	725.43	n	(P-7272/88; A-2502)	790.1660	am	(P-16425/88; A-856)
450.1330	n	(P-2249)	725.44	n	(P-7272/88; A-2502)	790.1685	am	(P-1299/88; A-856) (P-3015)
450.1330	n	(P-2249)	725.45	r	(P-7265/88; A-2517)	790.1697	am	(P-3015) (E-3108)
450.1330	n	(P-2249)	725.50	r	(P-7265/88; A-2517)	790.1700	am	(P-3015) (E-3108)
450.1330	n	(P-2249)	725.50	r	(P-7272/88; A-2502)	790.1706	am	(P-3015) (E-3108)
450.1330	n	(P-2249)	725.51	n	(P-7272/88; A-2502)	790.1708	am	(P-3015) (E-3108)
450.1330	n	(P-2249)	725.60	n	(P-7265/88; A-2517)			
450.1330	n	(P-2249)	725.60	n	(P-7272/88; A-2502)			
450.1330	n	(P-2249)	725.65	r	(P-7265/88; A-2517)			
450.1330	n	(P-2249)	725.70	r	(P-7265/88; A-2517)			
450.1330	n	(P-2249)	725.71	n	(P-7272/88; A-2502)			
450.1330	n	(P-2249)	725.80	r	(P-7265/88; A-2517)			

TITLE 77 (CONT'D)

790.3425	am	(P-16425/88; A-856)	790.5483	am	(P-12991/88; P-16425/88; A-856)
790.3437	am	(P-12991/88; A-856) (P-3015)	790.5520	n	(P-3015) (E-3108)
790.3440	n	(P-16425/88; A-856)	790.5530	am	(P-16425/88; A-856)
790.3475	n	(P-16425/88; A-856)	790.5540	am	(P-16425/88; A-856) (P-3015)
790.3492	am	(P-3015) (E-3108)	790.5544	am	(E-3108)
790.3500	am	(P-16425/88; A-856)	790.5560	n	(P-12991/88; P-16425/88; A-856)
790.3540	am	(P-16425/88; A-856)	790.5620	am	(P-12991/88; P-16425/88; A-856)
790.3620	am	(P-12991/88; P-16425/88; A-856)	790.5640	n	(P-3015) (E-3108)
790.3700	am	(P-3015) (E-3108)	790.5660	am	(P-3015) (E-3108)
790.3720	n	(P-16425/88; A-856)	790.5780	am	(P-3015) (E-3108)
790.3900	am	(P-16425/88; A-856)	790.5792	am	(P-12991/88; P-16425/88; A-856)
790.3907	am	(P-12991/88; A-856)	790.5795	n	(P-16425/88; A-856)
790.3910	n	(P-12991/88; P-16425/88; A-856)	790.5807	am	(P-16425/88; A-856) (P-3015)
790.3940	am	(P-3015) (E-3108)	790.5820	am	(E-3108)
790.3945	am	(P-16425/88; A-856)	790.5830	am	(P-12991/88; P-16425/88; A-856)
790.4012	am	(P-16425/88; A-856) (P-3015)	790.5837	n	(P-12991/88; A-856)
790.4040	am	(E-3108)	790.5840	am	(P-16425/88; A-856)
790.4060	am	(P-16425/88; A-856)	790.5872	am	(P-16425/88; A-856)
790.4100	am	(P-12991/88; P-16425/88; A-856)	790.5893	am	(P-16425/88; A-856)
790.4220	am	(P-3015) (E-3108)	790.5900	am	(P-16425/88; A-856)
790.4300	am	(P-16425/88; A-856)	790.5924	am	(P-12991/88; A-856) (P-3015)
790.4396	am	(P-3015) (E-3108)	790.5940	am	(E-3108)
790.4398	am	(P-12991/88; P-16425/88; A-856)	790.5980	am	(P-12991/88; P-16425/88; A-856)
790.4430	am	(P-3015) (E-3108)	790.5992	am	(P-16425/88; A-856)
790.4460	am	(P-16425/88; A-856)	790.6140	am	(P-3015) (E-3108)
790.4540	am	(P-16425/88; A-856)	790.6180	am	(P-16425/88; A-856)
790.4580	am	(P-3015) (E-3108)	790.6260	am	(P-16425/88; A-856) (P-3015)
790.4620	am	(P-16425/88; A-856)	790.6275	am	(E-3108)
790.4660	am	(P-16425/88; A-856) (P-3015)	790.6280	am	(P-12991/88; P-16425/88; A-856)
790.4670	am	(E-3108)	790.6284	am	(P-16425/88; A-856)
790.4680	am	(P-12991/88; A-856)	790.6370	am	(P-12991/88; A-856) (P-3015)
790.4720	am	(P-12991/88; P-16425/88; A-856)	790.6375	n	(E-3108)
790.4740	am	(P-12991/88; P-16425/88; A-856)	790.6445	am	(P-16425/88; A-856)
790.4820	am	(P-3015) (E-3108)	790.6450	am	(P-16425/88; A-856) (P-3015)
790.4960	am	(P-16425/88; A-856)	790.6452	am	(E-3108)
790.5060	n	(P-16425/88; A-856)	790.6454	n	(P-16425/88; A-856)
790.5140	am	(P-12991/88; P-16425/88; A-856)	790.6456	am	(P-12991/88; P-16425/88; A-856)
790.5180	am	(P-3015) (E-3108)	790.6540	am	(P-3015) (E-3108)
790.5220	am	(P-16425/88; A-856)	790.6580	am	(P-16425/88; A-856)
790.5300	am	(E-3108)	790.6621	n	(P-16425/88; A-856)
790.5312	am	(P-12991/88; A-856)	790.6670	am	(P-16425/88; A-856)
790.5420	am	(E-3108)	790.6740	am	(P-16425/88; A-856)
		(P-16425/88; A-856) (P-3015)	790.6780	am	(P-12991/88; P-16425/88; A-856)
		(E-3108)			(P-3015) (E-3108)

TITLE 77 (CONT'D)

790.6860	am	(P-3015) (E-3108)	790.9220	am	(P-3015) (E-3108)
790.6875	am	(P-12991/88; A-856) (P-3015)	790.9320	am	(P-3015) (E-3108)
790.6885	am	(E-3108)	790.9380	am	(P-3015) (E-3108)
790.6895	n	(P-3015) (E-3108)	790.9475	am	(P-3015) (E-3108)
790.6946	am	(P-16425/88; A-856)	790.9486	am	(P-12991/88; P-16425/88; A-856)
790.6960	n	(P-12991/88; P-16425/88; A-856)			(P-3015) (E-3108)
790.6980	am	(P-16425/88; A-856) (P-3015)	790.9500	am	(P-12991/88; P-16425/88; A-856)
790.7020	am	(E-3108)	790.9530	am	(P-12991/88; P-16425/88; A-856)
790.7140	am	(P-16425/88; A-856)	830.10	am	(P-3325/88; A-2090)
790.7180	am	(P-16425/88; A-856)	830.20	n	(P-3325/88; A-2090)
790.7181	n	(P-16425/88; A-856)	830.100	am	(P-3325/88; A-2090)
790.7223	am	(P-3015) (E-3108)	830.110	am	(P-3325/88; A-2090)
790.7260	am	(P-16425/88; A-856)	830.120	am	(P-3325/88; A-2090)
790.7265	n	(P-16425/88; A-856)	830.130	am	(P-3325/88; A-2090)
790.7280	am	(P-16425/88; A-856) (P-3015)	830.140	am	(P-3325/88; A-2090)
790.7288	n	(E-3108)	830.150	r	(P-3325/88; A-2090)
790.7288	am	(P-16425/88; A-856)	830.160	r	(P-3325/88; A-2090)
790.7400	am	(P-3015) (E-3108)	830.170	r	(P-3325/88; A-2090)
790.7540	am	(P-12991/88; A-856) (P-3015)	830.180	am	(P-3325/88; A-2090)
790.7540	am	(E-3108)	830.190	n	(P-3325/88; A-2090)
790.7540	am	(P-3015) (E-3108)	830.200	am	(P-3325/88; A-2090)
790.7540	am	(P-12991/88; P-16425/88; A-856)	830.210	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.220	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.230	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.240	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.250	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.260	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.270	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.280	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.290	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.300	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.310	n	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.315	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.400	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.410	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.420	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.430	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.440	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.450	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.460	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.500	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.510	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.520	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.530	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.540	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.560	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.570	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.600	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.610	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.620	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.630	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.640	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.650	am	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.660	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.670	r	(P-3325/88; A-2090)
790.7540	am	(P-16425/88; A-856)	830.700	am	(P-3325/88; A-2090)

[illegible]

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TITLE 80 (CONTD)		TITLE 80 (CONTD)	
302.190	am (P-1639)	1125.30	am (P-16375/88; A-1784)
302.200	am (P-1639)	1125.30	r (P-16375/88; A-1784)
302.625	am (P-1639)	1125.70	am (P-16375/88; A-1784)
310.30	am (P-1296)	1125.80	am (P-16375/88; O-22492/88; R-1905; A-1784)
310.230	am (P-1296)	1125.90	r (P-16375/88; A-1784)
310.280	am (P-1296)	1125.100	n (P-16375/88; A-1784)
310.290	am (P-1296)	1570.40	am (P-14122/88; O-22492/88; R-1626; A-1577)
310.320	am (P-1296)	1570.60	r (P-14122/88; O-22492/88; R-1626; A-1577)
310. Ap. A	am (P-20584/88; RC-1254)	1570.70	am (P-14122/88; O-22492/88; R-1626; A-1577)
310. Tb. F	am (P-2892)	1570.80	am (P-14122/88; O-22492/88; R-1626; A-1577)
Tb. P	am (P-20584/88; RC-1254)	1570.90	am (P-14122/88; O-22492/88; R-1626; A-1577)
1100.10	am (P-1327)	1570.100	am (P-14122/88; O-22492/88; R-1626; A-1577)
1100.20	am (P-1327)	1570.110	r (P-14122/88; O-22492/88; R-1626; A-1577)
1100.30	am (P-1327)	1570.150	r (P-14122/88; O-22492/88; R-1626; A-1577)
1100.40	am (P-1327)	1570.160	am (P-14122/88; O-22492/88; R-1626; A-1577)
1100.50	am (P-1327)	2110.30	am (P-1) (E-214)
1100.70	am (P-1327)	2110.320	am (P-1) (E-214)
1100.80	am (P-1327)	2110.330	am (P-1) (E-214)
1100.90	n (P-1327)	2110.510	am (P-1) (E-214)
1100.100	n (P-1327)	2110.530	am (P-1) (E-214)
1105.10	am (P-1335)	2150.1	n (P-10285/88; A-2402)
1105.20	am (P-1335)	2150.2	n (P-10285/88; A-2402)
1105.30	am (P-1335)	2150.5	n (P-10285/88; A-2402)
1105.40	am (P-1335)	2650.1	n (P-6871/88; O-1256; R-3411; A-3330)
1105.50	am (P-1335)	2650.5	n (P-6871/88; O-1256; R-3411; A-3330)
1105.80	am (P-1335)	2650.10	n (P-6871/88; O-1256; R-3411; A-3330)
1105.100	am (P-1335)	2650.15	n (P-6871/88; O-1256; R-3411; A-3330)
1105.110	am (P-1335)	2650.20	n (P-6871/88; O-1256; R-3411; A-3330)
1105.120	am (P-1335)	2650.25	n (P-6871/88; O-1256; R-3411; A-3330)
1105.130	r (P-1335)	2650.30	n (P-6871/88; O-1256; R-3411; A-3330)
1105.140	am (P-1335)	2700.200	am (P-253) (E-629)
1105.150	am (P-1335)	2700.440	am (P-253) (E-629)
1105.160	am (P-1335)	2700.620	am (P-253) (E-629)
1105.170	am (P-1335)	2700.630	am (P-253) (E-629)
1105.180	am (P-1335)	2700.650	am (P-253) (E-629)
1105.220	am (P-1335)	2700.700	am (P-253) (E-629)
1110.40	am (P-1355)	2700.710	am (P-253) (E-629)
1110.50	am (P-1355)	2700.720	am (P-253) (E-629)
1110.60	am (P-1355)	2700.730	am (P-253) (E-629)
1110.70	r (P-1355)		
1110.70	n (P-1355)		
1110.80	am (P-1355)		
1110.90	am (P-1355)		
1110.100	am (P-1355)		
1110.110	am (P-1355)		
1110.140	am (P-1355)		
1110.150	am (P-1355)		
1110.160	am (P-1355)		
1110.170	am (P-1355)		
1110.180	n (P-1355)		
1120.20	am (P-1379)		
1120.30	am (P-1379)		
1120.40	am (P-1379)		
1120.50	am (P-1379)		
1120.70	n (P-1379)		
1125.10	am (P-16375/88; A-1784)		
1125.20	am (P-16375/88; A-1784)		

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TITLE 80 (CONT'D)	n	(P-233) (E-629)
2700.735	n	(P-233) (E-629)
2700.740	am	(P-253) (E-629)
2700.750	am	(P-253) (E-629)
2700.820	am	(P-253) (E-629)
2700.920	am	(P-253) (E-629)
2700.Ap. A	am	(P-253) (E-629)
Ex. E	am	(P-253) (E-629)
Ex. F	am	(P-253) (E-629)
TITLE 83		
281.30	am	(P-1647)
281.90	am	(P-1647)
281.100	am	(P-1647)
281.Ex. D	am	(P-1647)
281.Ex. E	am	(P-1647)
435.10	r	(P-3)
435.20	r	(P-3)
435.30	r	(P-3)
435.40	r	(P-3)
435.50	r	(P-3)
435.60	r	(P-3)
440.10	n	(P-3162/88; A-296)
440.100	n	(P-3162/88; A-296)
440.200	n	(P-3162/88; A-296)
440.210	n	(P-3162/88; A-296)
440.220	n	(P-3162/88; A-296)
440.240	n	(P-3162/88; A-296)
440.300	n	(P-3162/88; A-296)
440.310	n	(P-3162/88; A-296)
440.400	n	(P-3162/88; A-296)
440.410	n	(P-3162/88; A-296)
440.420	n	(P-3162/88; A-296)
440.430	n	(P-3162/88; A-296)
440.500	n	(P-3162/88; A-296)
440.510	n	(P-3162/88; A-296)
440.520	n	(P-3162/88; A-296)
440.600	n	(P-3162/88; A-296)
440.610	n	(P-3162/88; A-296)
440.620	n	(P-3162/88; A-296)
440.640	n	(P-3162/88; A-296)
440.650	n	(P-3162/88; A-296)
440.660	n	(P-3162/88; A-296)
440.700	n	(P-3162/88; A-296)
440.800	n	(P-3162/88; A-296)
440.810	n	(P-3162/88; A-296)
440.900	n	(P-3162/88; A-296)
440.910	n	(P-3162/88; A-296)
505.10	am	(P-1686)
595.120	am	(P-16309/88; A-2036)
TITLE 86		
100.3700	am	(P-2383)
100.3706	am	(P-768)
151.101	n	(P-1498)
151.105	n	(P-1498)
151.110	n	(P-1498)

TITLE 89 (CONT'D)	TITLE 89			
151.115 n (P-1498)	103.20 am (P-17667/88; A-2496)			
432.100 n (P-15027/88; A-191)	104.202 am (P-2958)			
432.110 n (P-15027/88; A-191)	104.208 am (P-2958)			
432.120 n (P-15027/88; A-191)	104.210 am (P-2958)			
432.130 n (P-15027/88; A-191)	104.212 am (P-2958)			
432.140 n (P-15027/88; A-191)	104.221 am (P-2958)			
432.150 n (P-15027/88; A-191)	104.230 am (P-2958)			
432.160 n (P-15027/88; A-191)	104.231 am (P-2958)			
432.170 n (P-15027/88; A-191)	104.235 am (P-2958)			
432.180 n (P-15027/88; A-191)	104.243 am (P-2958)			
432.190 n (P-15027/88; A-191)	104.244 am (P-2958)			
432.200 n (P-15027/88; A-191)	104.247 am (P-2958)			
530.165 am (P-1104/88; A-1589)	104.257 n (P-2958)			
600.101 n (P-1448)	104.260 am (P-2958)			
600.105 n (P-1448)	104.270 am (P-2958)			
600.110 n (P-1448)	104.274 am (P-2958)			
600.115 n (P-1448)	104.280 am (P-2958)			
600.120 n (P-1448)	104.285 am (P-2958)			
600.125 n (P-1448)	104.290 am (P-2958)			
600.130 n (P-1448)	110.10 am (P-2931)			
600.135 n (P-1448)	111.101 am (P-15920/88; A-85)			
610.101 n (P-1460)	112.40 am (P-1948)			
610.105 n (P-1460)	112.98 am (P-2236)			
610.110 n (P-1460)	112.252 am (P-15905/88; A-70)			
610.115 n (P-1460)	112.253 am (P-15905/88; A-70)			
610.120 n (P-1460)	112.254 am (P-15905/88; A-70)			
610.125 n (P-1460)	113.142 am (P-15898/88; A-63)			
610.130 n (P-1460)	113.253 am (E-3402)			
610.135 n (P-1460)	113.260 am (E-3402)			
620.101 n (P-1468)	114.127 am (P-14996/88; A-89) (P-1959)			
620.105 n (P-1468)	114.128 am (P-17621/88; A-1546)			
620.110 n (P-1468)	114.351 am (P-15924/88; A-89)			
620.115 n (P-1468)	114.352 am (P-15924/88; A-89)			
620.120 n (P-1473)	114.353 am (P-15924/88; A-89)			
630.101 n (P-1473)	115.10 am (P-2702)			
630.105 n (P-1473)	115.30 am (P-2702)			
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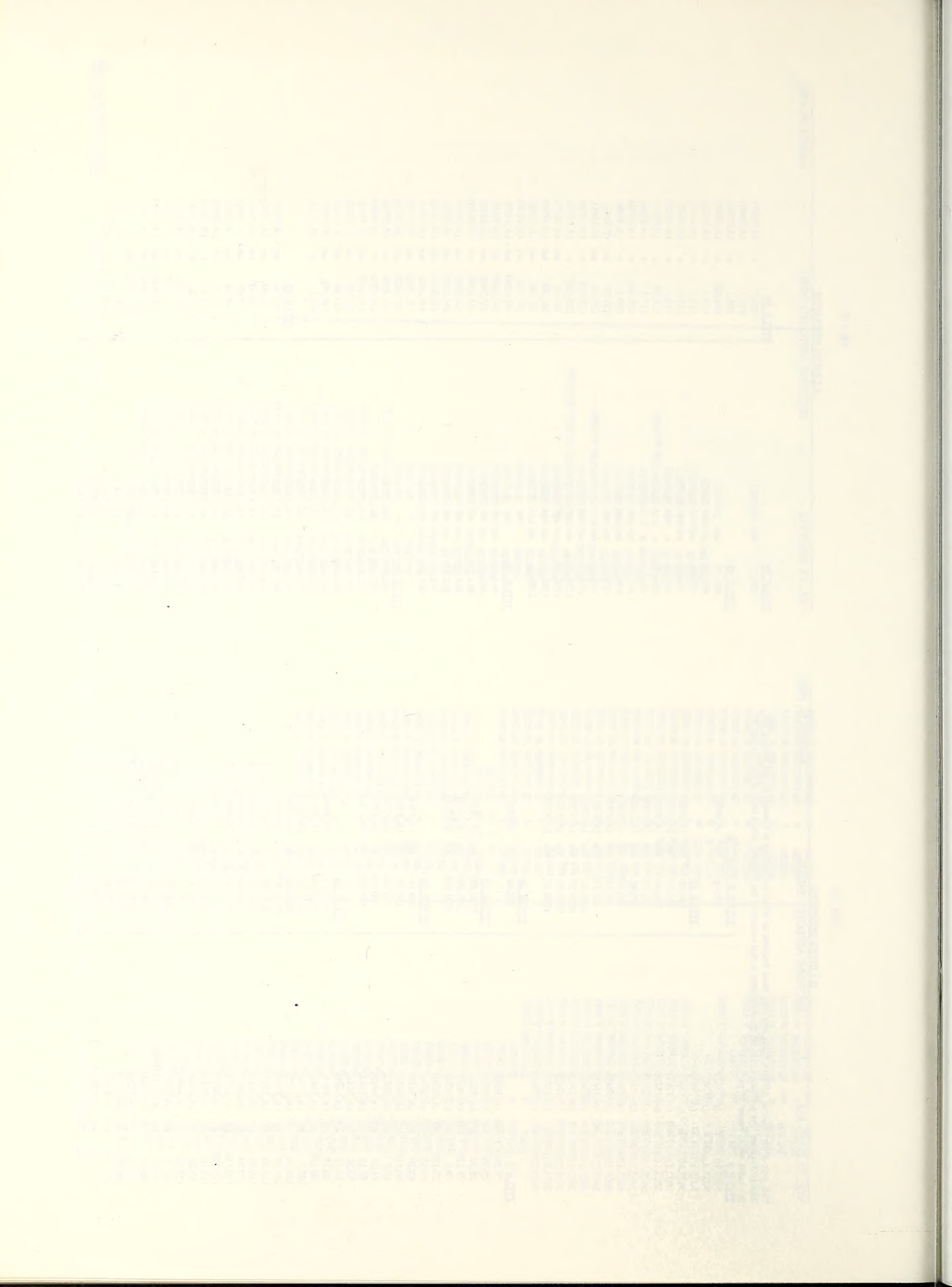
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